"Protect Society and Salvage Men": Prison Schools and the New Vision for Rehabilitation in New York State in the Progressive Era, 1905-1920

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ABSTRACT

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The establishment of schools in prisons was a remarkable innovation in the prison reform movement of the Progressive Era in New York State, and represented a high point of success in the new vision of prisoner rehabilitation. While prison schools provided some support in filling the occupational void in prisoner time after the abolition of the contract labor system in prisons, and some form of social control by incentivizing good behavior, the prison school idea was also a humanitarian endeavor. Schooling was provided without immediate economic benefit to the State through product or labor; it was provided merely for the good of incarcerated men. In this dissertation, I argue that the prison schools, the hiring of professional educators, and the classification of inmates were reforms that, when taken together, formed tangible steps towards organizational, systemic, and policy shifts in prisons that brought to life the goals and aspirations of the prison reformers of the 1870 Congress of the National Prison Association, who envisioned the prison as "one great school" where all aspects of prison life would be subservient to instruction. Thus, prison schools contributed to the new vision for prisoner rehabilitation in the Progressive Era. The prison school experiment in New York stood apart from other states in its commitment to hiring experienced and educated teachers, providing a competitive salary, offering separate and dedicated space for classrooms, and establishing a progressive curriculum

of standards. Prison school standards formed an important part of the progressive classification system for prisoners, particularly those with indeterminate sentences, and established stages for rehabilitation and release from prison.

This dissertation explored aspects of the prison schools that were formally established at Sing Sing, Auburn, Clinton, and Great Meadow prisons. This study also explored the political, economic, and social climate of the Progressive Era that created optimal conditions for the prison school experiment. This research places prison schools at the center of the rehabilitation idea for prisoners in the Progressive Era. This fundamental shift in thinking from considering prisoners as property of the state to human beings in need of care and treatment opened up pathways for new practice. This research draws the connection between the end of the contract labor system in prisons and the beginning of prison schools. While there are numerous studies on prison labor reform and the shift in reformers' thinking about hard labor and rehabilitation, few studies have made this connection. This research presents examples of how the theories of prisoner rehabilitation were put into practice through the prison school experiment in New York State during the Progressive Era.

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Chapter 1

INTRODUCTION

> The State is no longer thought to have performed its full duty to itself, to society, or to the criminal when, by imprisonment, it has punished the criminal for his offense. When the prisoner is set free he should be a better citizen, a more desirable and efficient member of society, and a more intelligent man, with a larger amount of self-control and self-helpfulness.[1]

"Sing Sing is often called by newspaper men 'the college,' and although this is said in jest there is much truth in the statement," wrote Sing Sing inmate no. 65368, a member of the Mutual Welfare League, in the *Star of Hope*, the monthly prison newspaper.[2] The men of the Mutual Welfare League at Sing Sing Prison in 1916 were very proud of the work accomplished at their prison school, and boasted about their classes, teachers, and grades in *Star of Hope*, which was written and published by and for inmates at the state prisons. Over 700 men attended the prison school at Sing Sing in 1916, at the height of the Progressive Era, a number that grew steadily after the school's inception in 1905. Each of the state prisons in New York established a school led by a college-educated Head Teacher and staff of inmate students during the Progressive Era. The prison school at Sing Sing was first created in response to the growing number of foreign-born inmates with little to no knowledge of English, and who seemed mystified at times as to the rules and instructions inside the prison.[3] In addition to instruction in English, school courses included writing, arithmetic, history, science, civics, literature, and

[1] P. P. Claxton, U. S. Commissioner of Education, "Letter of Transmittal," United States Bureau of Education, Bulletin, 1913, No. 27 (Washington: Government Printing Office, 1913), 5.

[2] Sing Sing No. 65368, "Universities vs. Prisons," *Star of Hope*, October 1916, 3.

[3] "College Men in Sing Sing Form a Faculty," *The New York Times*, November 24, 1907, 40.

professional courses such as stenography or bookkeeping. This unique "college," as referred to by *The New York Times* journalist, was founded by the Superintendent of State Prisons in collaboration with the Commissioner of Education who selected Dr. Albert C. Hill, Inspector for the Department of Education, to oversee schools in all of the prisons around the state.[4]

The Sing Sing prison school was one several in the State of New York, including the Auburn Prison School, the Clinton Prison School, and the Great Meadow Prison School,[5] that employed highly educated teachers to help Americanize immigrant inmates, teach skills that would improve inmate employability, and turn inmates into Christian gentlemen,[6] thus fulfilling the goals of Progressive reformers and bringing to fruition the ideals of prisoner rehabilitation through education, as laid out in the Declaration of Principles first outlined in 1870 by the National Prison Association.[7] In this dissertation, I answered the following research question: What role did prison schools play in the new vision for prisoner rehabilitation in New York State during the Progressive Era? I investigated the reasons for the creation of the schools, the classification system that moved prisoners through the stages of the rehabilitation process, the stakeholders that shaped the education program and curriculum, and the structure of prison schools and programs. This prison school experiment attempted to bring to life the goals and aspirations of the reformers who initiated the prison reform movement.

The creation of prison schools was a key innovation and a hallmark of the prison reform movement, yet the study of prison schools during the Progressive Era to date has been limited.

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[4] "College Men in Sing Sing Form a Faculty," 40.

[5] Great Meadow Prison opened in 1911 after prison schools had been established already at Sing Sing, Auburn, and Clinton prisons. Great Meadow was intended as a facility for first-time offenders and allowed great freedom of movement.

[6] Alexander W. Pisciotta, *Benevolent Repression: Social Control and the American Reformatory—Prison Movement* (New York: New York University Press, 1994), 12-13.

[7] E. C. Wines, ed. *Transactions of the National Congress on Penitentiary and Reformatory Discipline, Held at Cincinnati, Ohio, October 12-18, 1870* (Albany: Weed, Parsons and Company, Printers 1871), 548-67.

This omission may be due in part by the failure of many prison schools outside of New York. Scholarly work, instead, has focused on the prison reform movement as a whole, and more specific reform efforts including banning cruel and unusual methods of punishment, building of asylums, separation of juveniles from adult prisons, prison labor conflicts, or prison riots.[8] Scholarly work on juvenile reformatories and industrial schools is fairly extensive and highlights the prominence of these reform institutions in the Progressive Era. Furthermore, those who have addressed prison schools for adults have overlooked or left out important information about prison school teachers, their educational and professional backgrounds, and their teaching philosophy and practice. These teachers were integral to the prison school pupil experience. Rarely has the prisoner's agency or experience been illustrated in scholarly studies of the time period.

In this inquiry, I examined the schools in New York State prisons, specifically men's prisons.[9] I primarily examined the prison schools at Auburn Prison, Sing Sing Prison, Clinton Prison, and Great Meadow Prison. The choice to study only the men's prison schools was largely based on availability of sources. Prison schools were established for women, too, but their inmate populations were fairly small. Vocational opportunities for women differed from men,

[8] Prominent histories include: Thomas Blomberg, *American Penology: A History of Control* (New York: Aldine de Gruyter, 2000); Glen A. Gildemeister, *Prison Labor and Convict Competition with Free Workers in Industrializing America, 1840-1890* (New York & London: Garland Publishing, 1987); Michael Ignatieff, *A Just Measure of Pain: The Penitentiary in the Industrial Revolution* (New York: Pantheon, 1978); Paul W. Keve, *Prisons and the American Conscience: A History of U.S. Federal Corrections* (Carbondale: Southern Illinois University Press, 1991); Walter David Lewis, *From Newgate to Dannemora: The Rise of the Penitentiary System in New York, 1796-1848* (Ithaca, NY: Cornell University Press, 1965); Blake McKelvey, *American Prisoners: A Study in American Social History Prior to 1936* (Chicago: University of Chicago Press, 1932); Rebecca M. McLennan, *The Crisis of Imprisonment: Protest, Politics, and the Making of the American Penal State, 1776-1941* (Cambridge, MA: Cambridge University Press, 2008); David J. Rothman, *Conscience and Convenience: The Asylum and Its Alternatives in Progressive America* (Boston and Toronto: Little, Brown, 1971) and *The Discovery of the Asylum: Social Order and Disorder in the New Republic* (Boston: Little, Brown, 1971); and Larry E. Sullivan, *The Prison Reform Movement: Forlorn Hope* (Boston: Twayne Publishers, 1990).

[9] There was a school at the Auburn Prison for Women as well as educational programs at industrial and reform schools around the state in addition to facilities for the mentally ill.

and resources such as prison libraries paled in comparison to the men's prisons. The women's prison school experience deserves its own study and analysis. Reformatories, Elmira Reformatory in particular, have been studied in depth.[10] While the innovations in correctional education overlapped between Elmira and the state prisons, the field of adult education was a new and burgeoning field with its own pedagogy and practice. Education programs also existed in jails, but because of the shorter or temporary prisoner stays there, schooling was not planned for the long term. The state prison schools, on the other hand, were also bound together by a common set of learning standards and a common inspector, A. C. Hill, who served as a de facto director of the schools. The state prison schools also shared teachers who rotated around and taught in each school for a few years at a time.

In this study, I examined how the prison school curriculum fit the needs of the largely European immigrant population of men in the state prisons. I did not examine in depth issues of race in the prisons or the prison schools, primarily because the population of African American inmates was fairly small. Instead, I examined how the ethnic makeup of the prison population was more a reflection of the European immigrant populations of New York during the Progressive Era, and less of a reflection of the disproportionately African American population of incarcerated men that grew exponentially throughout the twentieth century. For example, in 1916, 103 inmates out of 1,446 at Sing Sing Prison were Black, yet half of that prison population was Italian or Italian American.[11] Criminalized behavior affected to a larger extent poor and uneducated Italian and Eastern European immigrants in New York State. I examined how the

[10] William G. Hinkle, *Elmira Reformatory 1878-1890: Innovations in the Administration of an American Penal Institution* (Edwin Mellen, 2016); Alexander W. Pisciotta, *Benevolent Repression* (New York: New York University Press, 1994); and Carolyn Rebecca Eggleston, "Zebulon Brockway and Elmira Reformatory: A Study of Correctional/Special Education" (Dissertation, Virginia Commonwealth University, 1989).

[11] *Star of Hope*, October 1916, 16.

prison school curriculum reflected several of the same public school curriculum priorities for immigrant students, including instruction in speaking, reading, and writing in English, civics education, American values of patriotism and achievement, and American geography and history. While the prison facilities were located in upstate New York, they housed inmates from all over the state, including New York City.[12] Issues of race, incarceration, and prison reform played out differently around the country, and were of primary importance in the South during this period.[13] Yet, the prison school experiment in New York State is not the best representation of those issues.

I chose to study prison schools in New York State for several reasons. New York was a leader in the field of penology and the site of many "firsts" in prison reform. New York established the first juvenile reformatory in 1876, the first reformatories for adult males and females, and the first experiment in self-government among inmates. In addition, the State established the most influential state prison for men, Auburn Prison, where a new model of work, solitary confinement, combined with corporal punishment led the way for the nineteenth century penitentiary movement. New York prison schools stood apart from other state prison schools because they were unified by a state system. New York schools produced better results among their students in terms of literacy gains and academic achievement in comparison to prison schools in other states in the country. New York schools also stood out for their adherence to the

[12] Sing Sing Prison typically received the largest population of inmates from New York City.

[13] See Douglas A. Blackmon, *Slavery by Another Name: The Re-enslavement of Black People in America from the Civil War to World War II* (New York: Doubleday, 2008); Kahlil Gibran Muhammad, *Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America* (Cambridge, MA: Harvard University Press, 2010); Jane Zimmerman, "The Penal Reform Movement in the South During the Progressive Era, 1890-1917," *The Journal of Southern History* 17, no. 4 (November 1951): 462-92; Theresa R. Jach, "Reform versus Reality in the Progressive Era Texas Prison," *The Journal of the Gilded Age and Progressive Era* 4, no. 1 (January 2005): 53-67; Kevin Krause, "The Big House and the Madhouse: Institutional Reform and the State in Tillman-Era South Carolina," *The South Carolina Historical Magazine* 115, no. 3 (July 2014): 213-40.

ideals laid out by Progressive reformers. Furthermore, the availability of primary source materials made New York a manageable geographic location for this study.

As the site of so many "firsts" in prison reform, New York stood apart from other states in its ability to function as a laboratory for the prison school experiment. Progressive reforms reached their height in New York City due to its unique position as the entry point for most immigrants and created a climate for change. Highly educated, connected, and motivated reformers were able to push their reform agendas through the New York political machine. These influential reformers were connected to New York universities, including Columbia and its faculty, to bring the latest ideas, philosophy, and research to the institutions. New experiments in Progressive education in schools and Americanization programs in settlement houses proliferated in New York City. New York prisons had the space and resources to make their prison schools a success. The schools had the support of administrators and decision makers. Finally, the prisons had a ready supply of eager and motivated inmates to serve as pupils. The conditions were right for the prison school experiment to be a success, but New York was also a unique laboratory to serve as the setting.

The parameters for this study are the years 1905-1920, a fifteen-year period within what historians generally referred to as the Progressive Era. These years mark the first phase of the "Prison School Experiment." It is important to understand that this time period in prison history in New York State stands apart from current debates and interest in the criminal justice system. The populations of New York City and the State of New York were less than a fifth of what it is today, and the ethnic makeup of immigrants was largely European. The prison reform movement of the Progressive Era began in the late 1800s with the adoption of the Declaration of Principles

at the first Congress in 1870 of the National Prison Association.[14] The movement built great momentum in the 1890s with the passage of new labor laws restricting prison labor activities. The array of reforms that characterized the new penology of the period mark an important and revolutionary break from the old system of punishment that persisted throughout the eighteenth and nineteenth centuries. The Progressives' optimistic view that criminals could be rehabilitated through individualized programming and re-education formed the core of the new penology and the rehabilitative ideal, while political, economic, and social forces coalesced to create fertile ground for massive organizational change. In 1905, the State set aside dedicated buildings and classroom spaces at each prison for the specific use of prison schools. Each school was put in charge of by a civilian head teacher with set hours for instruction each day, and a 12-standard curriculum that was to be used by all schools. By the 1920s, the first phase of the prison school experiment had ended, and educators and administrators could look back on the period in reflection. The reform movement and the importance of education in prison reform persisted in the 1920s, and even grew. The 1920s saw the creation of the first Keepers School, or training academy for prison staff, as well as national conferences for prison school teachers and greater professionalization of the field. By the end of the period, the field of correctional education had been established.

The Declaration of Principles written in 1870 provides an important framework for discussing the aims and goals of the prison school experiment. In many ways, we can look at the formation of the schools, their administration and results, as the practical application of the reform ideals set down to paper in 1870. The Declaration of Principles, a set of 41 ideas, outlined the desired changes that would dominate the prison reform movement of the Progressive Period:

[14] See Appendix A, Declaration of Principles, 1870.

rehabilitation rather than punishment, classification of criminals, rewards for good behavior, and attention to learning, probation, and indeterminate sentences.[15] Representatives from 24 states assembled in Cincinnati, Ohio to discuss the most pressing prison issues of the day. All members of the congress voted unanimously to approve the Declaration of Principles as a set of ideals and actions to strive towards to create better men through rehabilitation. The principles have periodically been updated since then, and still remain a founding document for the association, now called the American Correctional Association. Much of the same language still remains in the document today.

The education idea figured prominently in several of the principles. The principles identified crime as a disease, and the role of incarceration was to prevent relapses through reformation. "Social therapeutics" was the prescribed remedy.[16] "Re-establishing moral harmony" was part of a process of "regeneration" and "new birth."[17] It was recognized and acknowledged that prison practice needed to catch up with and conform to theory, and the process of public punishment be made a process of reformation. Principle VII stated: "Of all true and permanent reformation (and this is the end of prison discipline), the leading, vitalizing, controlling elements are education and religion—the discipline of the mind and heart."[18] Most importantly, Principle XI of the Declaration read:

> Education is one of the vital forces in the reformation of fallen men and women, who have generally sinned through some form of ignorance, conjoined with vice. Its tendency is to quicken the intellect, expel old thoughts, give new ideas, supply material for meditation, inspire self-respect, support pride of character, excite to higher aims, open fresh fields of exertion, minister to social and personal improvement, and afford a healthful substitute for low and vicious amusements. Education is, therefore, a matter of primary importance in prisons, and should be carried to the utmost extent, consistent with

[15] E. C. Wines, ed. *Transactions of the National Congress on Penitentiary and Reformatory Discipline,* 548-67.
[16] Ibid., 548.
[17] Ibid.
[18] Ibid., 550.

> the other purposes of such institutions. Schools and familiar lectures on common things, with illustrations by maps, globes, drawings, etc., should be instituted; or rather, a prison should be one great school, in which almost everything is made subservient to instruction in some form—moral, intellectual, industrial.[19]

Other principles outline the necessity for a prison newspaper for inmates, and a graduated series of reform institutions for further classifying inmates, "with a view towards employment, intellectual education and moral training."[20] It is impressive how many of these principles found their way into practice during the years 1905-1920. Reformers had already laid out a roadmap for themselves 35 years prior.

Several factors and events sparked the movement towards the creation of prison schools. First, reformers held tightly to the belief that education was the solution to the problem of poverty, and poverty was the primary cause of criminality. Education was the solution and "treatment" to transforming criminals into productive citizens for society upon release from prison. Second, after the collapse of the contract labor system in prisons that had allowed wardens to sell the labor of inmates at a far cheaper rate than that of free laborers, prisoners were left with idle time and nothing productive to do. This idleness led to a serious breakdown in prison discipline, riots, and increased escape attempts. Conditions were ripe in New York State for productive work to be added to the inmates' lighter daily manual workloads. The prison labor problem was one of the most pressing labor issues of the day, and provided a significant and dramatic backdrop to the prison school experiment. It is my belief that the prison labor problem cannot be separated from the creation of prison schools; one is the direct antecedent of the other.

The idea that education, care, and nurturing could transform a criminal into a productive citizen was truly revolutionary and marked a fundamental break in prison practices of

[19] Ibid., 6.
[20] Ibid., 563.

punishment through forced labor that had persisted through the first three-quarters of the nineteenth century. The notion of "reform" for this inquiry is explored both in terms of the organizational, structural, and systemic changes that were central to the prison reform movement as well as in terms of individual rehabilitation and personal reform. The theory and practice of educating prisoners as part of their rehabilitation began during this period and were essential to the core of the "new penology" advocated by Progressives at the federal, state, and local level. This new penology stood in stark contrast to the "old system" of incarceration based on physical punishment and hard labor. The changes made to the penal system during this time and changing attitudes about prisoner educability opened up new possibilities for an optimistic view towards the betterment of society.[21]

Despite this optimistic view of reformers, public sentiment and interest in prison schools were limited and lukewarm. Those outside the prison without connection to inmates struggled with supporting potential costs of their education, particularly if they themselves had limited access to schooling. The primary function of prisons was to house convicted criminals for a period of time in order that society be protected from their dangerous activity. The "new penology" included the concept of incarcerating criminals for their own protection from themselves. The end result of a period of incarceration should be a change in attitude and behavior; thus, incarceration becomes "classification and segregation for treatment."[22] Treatment takes the form of case work where penologists consider what is to be done *for* a prisoner rather than *to* a prisoner. The Progressive Period is characterized by a focus on "scientific techniques." Scientific techniques involved the services of specialists such as psychiatrists, psychologists,

[21] David Rothman, *Conscience and Convenience: The Asylum and its Alternatives in Progressive America* (Boston: Little, Brown, 1971), 17-32.

[22] Walter Mark Wallack, *Education Within Prison Walls* (New York: Teachers College, 1939), 1.

sociologists, physicians, and educators as well as administrative officers, parole officers, guards, and others:

> There is a diagnosis of 'treatment needs' after thorough study of the life history and personality of each prisoner. A treatment prescription results. What happens to the convict is to be in terms of some kind of therapy which aims to reconstruct him in order that he may live a properly adjusted life.[23]

Education in these terms is education defined broadly. In the penal institution, "education is the process or the means of achieving the reformation, correction, or rehabilitation of inmates in correctional institutions."[24] This is inclusive of all of the experiences the prison can bring into the lives of inmates, and goes beyond the programs of academic and vocational instruction commonly found. Thus, all the personnel of institutions become, to some degree, educational workers.[25]

This study also places prison schools within the broader context of Progressive Era education reforms. These education reforms were wildly divergent and included, on one hand, a factory model of schooling that prepared children for the rigors of industrial society, and, on the other hand, John Dewey's Laboratory School in Chicago that allowed children to explore their own passions and learn by experience. The fundamental beliefs of the purpose and function of education for adult inmates were rooted in the similar beliefs and practices of urban school leaders and reformers. By the end of the nineteenth century, urban schools for children had transformed from loosely organized village schools into efficient factory systems that emphasized order and rationality. The school system was championed by city leaders as a place to create order out of the chaos of immigration, population growth, and fear of ethnic differences

[23] Ibid., 1-2.

[24] D. Ross Pugmire, "The Administration of Personnel in Correctional Institutions" (PhD Dissertation, Teachers College, Columbia University, 1937), 14-15.

[25] Wallack, 2; Wines, 548-67.

and class discord. The factory model of education emerged as a way to organize children for the industrial age and prepare them for the workforce and for civic participation.[26] Factory model schools emphasized good work habits, time management, and understanding of hierarchy. Prison education, too, emphasized these skills through academic standards focused on English literacy, civics education, and vocational training. Some practices within the prison school classrooms and experiments in self-government such as the Mutual Welfare League bear the markings of Progressive Era education as rebuilding American democracy. We can see some of John Dewey's philosophy of experiential learning, self-direction, and democratic process in the activities of the Mutual Welfare League. Prison schools can thus be viewed as an extension of the broader Progressive Era education movement emphasizing the Americanization of foreign-born people, social efficiency, and preparation for a modern industrial workforce.

In order to answer my research questions, I studied scholarship on the prison reform movement and the Progressive Era as well as literature addressing the prison labor problem, criminology, and theory and methods of correction. In addition to secondary literature, I drew extensively from published primary sources including government documents and bulletins; annual reports; conference, meeting, and congressional proceedings; and newspapers including monthly prison newspapers. I also drew from archival collections in order to inform my research inquiry and answer my research questions including institutional records in the collection of the Department of Correctional Services, housed at the New York State Archives in Albany, New York, materials from Rare Books and Manuscripts Library at Columbia University, and the collections at Lloyd Sealy Library at John Jay College of Criminal Justice. I found specific series in the collections through the help of finding aids and the very generous support and direction of

[26] David Tyack, *The One Best System: A History of American Urban Education* (Cambridge, MA: Harvard University Press, 1974).

the archivists, particularly at the New York State Archives. These collections are wide-ranging, including administrative records such as warden and chaplain journals, financial records pertaining to prison industry and supply purchases, and inmate classification records detailing demographic data. I have used these records to inform my research sub-questions. These collections included personal letters, speeches, reports, ledgers, and inmate files. I used standard historical methodology by collecting primary source materials, critically analyzing them, and presenting a synthesis of my findings. I categorized relevant evidence based on who wrote them, when and where they were written, and who the intended audience was. I also subjected evidence to internal criticism by assessing their reliability and significance. The majority of primary source documents is from the records of the New York State Department of Corrections. They are official institutional records that are clearly identifiable by author, date, and location written such as annual reports, ledgers, warden daily journals, and expense records. Prison documents are particularly difficult to assess because so many of them are public-facing. Very few sources from the period reveal completely uncensored thoughts of prisoners, for example, that contribute to an understanding of their daily reality, although there are some. Some primary source documents inform more than one research sub-question. Furthermore, additional sources used are published primary source documents such as conference proceedings, annual reports, and bulletins. Newspaper articles are from known and reputable papers and provide some outsider perspective. Prison newspapers such as the *Star-Bulletin* and the *Star of Hope* were written and edited by prison inmates and give some voice to the prisoners themselves, yet it could be assumed that they served as a pet prison project to highlight the most successful inmates to outside observers, and may have been heavily edited for content.

This inquiry investigated prison schools and the various policies, actors, participants, and programs that brought to life the "one great school" idea proposed by the prison reformers of the 1870 Congress of the National Prison Association, where every aspect of the prison was in service to learning and instruction in some form, whether moral, intellectual, or industrial. Through this inquiry I answered the research question: What role did prison schools played in the new vision for prisoner rehabilitation in the Progressive Era in New York State? To address this research question, this project is organized around four chapters that each answer a sub-research question.

In Chapter 2, I answer the question: What were the reasons for the creation of prison schools? I provide background information to the Progressive Era, the prison reform movement, and the conditions that made prisons ripe for the creation of prison schools. I explore several social, economic, and political factors that contributed to the development of prison schools in New York State during the Progressive Era, namely, the social fervor and cultural context of the period that created the climate for change and experimentation, the greater national prison reform movement, and the abolition of prison labor and the convict lease system.

In Chapter 3, I answer the question: Who were the men attending prison schools? To answer this question, I provide a description of the prison population in New York State. In addition, I address the great efforts made to classify and categorize inmates through arbitrary markers such as race and age, as well as the "progressive classification system" as outlined the National Prison Association that sought to move men through stages of rehabilitation. The classification of inmates in these two ways contributes to our understanding of who penologists deemed "reformable" and "not reformable" at this time. The processes also reveal the great divide of the period between what reformers believed to be true in theory and what practice

actually looked like in prisons. I analyzed archival documents on inmate backgrounds, race and national origin, religion, education level, work history, crime committed, and sentence length. This information helped me to illustrate the prison population of the period as well as how prisoners moved through the progressive stages of incarceration from solitary confinement to workshop and classroom to self-government.

In Chapter 4, I describe the teachers who worked in the prison schools and their training and qualifications. A common misconception among historians is that prison school teachers were underpaid, undervalued, and poorly educated. While this may have been true in other parts of the country, head teachers in New York State were highly educated professionals who stayed in their jobs for a decade or more. This fact alone contributes to New York State as a unique crucible for the prison school experiment. In addition, I explore the roles of administrators who worked in partnership to educate prisoners such as wardens, chaplains, and others. Fellow inmates also played an important role as inmate teachers in prison schools. The best and the brightest were often chosen to work as inmate teachers. I analyzed published primary sources for this information, primarily bulletins, essays, and annual reports.

In Chapter 5, I describe the experience of inmates in prison schools, what they studied, and how they were perceived by outsiders. In addition, I describe in what limited evidence there is how inmates felt about their own learning. The educational experience of prisoners was often described as "education in the broadest sense," and extended beyond the classroom to include library activity, industrial training in workshops, participation in Mutual Welfare Leagues, and recreational and sports activities. In analyzing archival materials and primary sources, I asked if the document revealed insight into the daily life or routine of prisoners, including work

experience, discipline, education, religious activities, social activities, health, and mental temperament.

In the concluding chapter, I offer reflections on the results of the Progressive Era prison school experiment and a summary of the continuation of the movement into the 1920s and 1930s. I also consider future directions for this study and connections to the development of a correctional education system.

Despite the historical significance of the first state prison school experiment, the relationship between education and the rehabilitation of prisoners during this period has yet to be fully explored or appreciated. The fulfillment of the aspirations of the first Congress of the National Prison Association in 1870 shows a continuity of the vision of reformers that played out in real structural changes to the systems and organization of the prison in New York State. Furthermore, the role and impact of prison teachers were far more involved than previously thought. Various political, economic, and social factors affecting prisons and their operation came together at this time to necessitate a change in attitude and behavior towards prisoners that was more humanitarian and optimistic about their rehabilitation and reentry into society, contributing towards the development of a system of education in prisons that persists to this day. This dissertation research contributes to knowledge and understanding of the foundational shift in the ideology and purpose of prisons in New York State, and the new vision of rehabilitation established in the Progressive Era.

Chapter 2

BACKGROUND AND CONTEXT

> For the first time the convicts themselves have spoken; for the first time a few—lamentably few—prison officials have been intelligent enough to discard old theories and methods and to study the actual facts spread out before them; for the first time this apparently most unsolvable of social problems we have applied the principles of democracy; and behold! To the amazement of most and the dismay of many, even in prison democracy works.[1]

Introduction

The Progressive Era provides the backdrop for this study of the prison school experiment. Numerous social, economic, and political factors contributed to the development of prison schools in New York State during the Progressive Era, including the prison reform movement, and the abolition of prison labor and the convict lease system. The prison reform movement was one movement among many, including the labor movement, women's movement, trust-busting, environmental conservation, temperance, health and medicine, and civil rights, that created a climate for change and experimentation. The prison school experiment is particular to this time period because of the tremendous societal shifts, the influence of reformers in positions of power, and the eagerness for new systems and methods for dealing with the challenges of population growth, poverty, and immigration. Within the prison reform movement was the prison school experiment in New York State. This chapter reviews these social, economic, and political factors that created the right conditions for prison schools to take root. Prison schools

[1] Thomas Mott Osborne, "Common Sense in Prison Management," *Journal of the American Institute of Criminal Law and Criminology* 8, no. 6 (March 1918): 806.

were the hallmark of the new penology of the Progressive Era that marked a radical turning point from the old system of punishment. This chapter also reviews some background to the history of punishment and prison system in the United States to provide a context for the changes that were made.

Background: Progressive Era and the Progressive Platform

The Progressive Era provided a climate for the prison school experiment to happen as reformers sought to eliminate the problems caused by industrialization, urbanization, immigration, and political corruption. The creation of prison schools formed part of the prison reform movement, driven by a labor crisis, immigration, population growth, religious conviction, new ideas in science, psychology, and education, and humanitarian zeal. Progressive reformers could be found among Democrats, Republicans, and independents. Although a Progressive Party was formed in 1912, most reformers worked outside of the party system and helped spur a fundamental reshaping of American government and politics.

Reform movements involved Americans from all backgrounds, classes, ethnic and racial groups, but the white Protestant middle class was the group most often associated with Progressivism. Some historians describe the Progressives as a radical group that was sincere and fervent about their various causes.[2] Others describe the period as a conservative time, characterized by a negative change in power and status of the upper class Progressives after the Civil War, rather than by a significant change in the wealth and the struggle to maintain status in society.[3] Many white, middle-class Protestants felt that their status and position in society were being usurped by new industrial entrepreneurs, and their cultural norms and values were in

[2] Andrew M. Scott, "The Progressive Era in Perspective," *The Journal of Politics* 21, no. 4 (November 1959): 685-701.

[3] Richard Hofstadter, *Age of Reform: From Bryan to F.D.R.* (New York: Knopf, 1955).

jeopardy as new immigrants populated cities and African Americans moved from the South. Through reform activism, a spirit of optimistic evangelical Protestantism, and an unshakable belief in the power of science and rational inquiry, they sought to reassert their values and status in society. By analyzing societal ills and applying systems to create solutions, Progressives believed they could build a better society and preserve its democratic character.

Other movements included the Women's Movement, which put on public display female political activism. Women joined national women's clubs in great numbers and led to the rise of the National American Woman Suffrage Association and the National Association of Colored Women. The Women's Christian Temperance Movement advocated for and supported the passage of the 18th Amendment in 1919, prohibiting the production and sale of alcohol. The Women's Suffrage Movement succeeded in gaining women the right to vote in 1920. Women established settlement houses to provide education and services to immigrant communities, and women participated in unprecedented numbers in charity organizations and social service agencies.

Efforts to reform local government took shape differently in the Northeast and the South. Reform movements were dominated by businesses and other elites to make local government less costly and more efficient. Aiming at destroying corrupt political machines, white middle-class Protestants saw working-class voters, particularly immigrants and African Americans, as part of the problem. These reformers sought to strip immigrants, children of immigrants, and African Americans the right to vote. Social reformers sought to rid immigrants of their undesirable tendencies and cultural practices, and to enforce white Protestant values and norms.

Labor movements grew out of the need to protect the shared interests of workers. In the nineteenth century, trade unionism was mainly a movement of skilled workers, but the twentieth

century labor strikes were representative of more diverse groups, often led by less-skilled immigrant workers and women, particularly in the garment industries. Organized labor unions fought for better hours and wages and safer working conditions. The labor movement led efforts to stop child labor and give health benefits to injured workers.

Progressive Era education reform is notable for the dramatic expansion of the number of schools and students served, and the contrasting views of leaders on childhood learning and experience. New compulsory education laws went into effect, not only to improve literacy but also to discourage widespread child labor. The factory model of schooling became common, particularly in response to the growing urban populations, increased immigration, and workforce needs, to prepare children for industrialized society. The structure of schooling was modified to train students for the working world through graded classrooms, bell systems, and highly disciplined routines. Leaders like John Dewey and Edward Thorndike presented contrasting views of what schooling should be for children and for society. Dewey believed that children learned best from experience, and that schooling should allow students to reach their full potential, identify their interests and passions, and use their skills for the greater good of a democratic society. Thorndike, on the other hand, used statistical evidence to address school organizational problems and believed in a structured reward system. The Progressive Era also saw the development of industrial schools or residential boarding schools that taught trades to students. They were often military in style and used as reformatories. These contrasting views and models of education present themselves in various ways in the prison school experiment.

While Progressive movements pushed forward reforms in many sectors, not all groups benefited. The Progressive Era also marks the beginning of an intensely destructive period of institutional racism. In 1896, the landmark U.S. Supreme Court decision of *Plessy v. Ferguson*

upheld legal racial segregation under the justification "separate but equal." African Americans were systematically removed from the political process by introduction of Jim Crow laws, including residency requirements, poll taxes, and literacy tests. The destruction of voting rights in the South was accompanied by extreme acts of terror and violence against Black people through lynchings and mob violence. Between 1890 and 1900, over 175 African Americans were lynched every year in the South for violating the new Jim Crow laws.[4] Between 1877 and 1950, almost 4,000 Black people were lynched in the South.[5] This era of terror resulted in African Americans fleeing the South for Northern cities.

The years bracketing the Progressive Era are often debated. Some consider the Progressive Era to extend from Reconstruction to the New Deal, but most agree it is roughly bracketed between 1890 and 1920. Progressivism gained momentum on a national level when Theodore Roosevelt became president in 1901, and the many reform movements together called the Progressive Movement gained widespread visibility. Roosevelt later created the Progressive Party in 1912, with a formal platform and statement of beliefs. The history of the Progressive Movement and the sweeping social legislation that resulted from social activism has been described as a struggle between social justice progressives and conservative court systems, as a conflict between ideas of individual and collective responsibility, and as a political process involving interest groups, particularly business and labor.[6] Many of the ideals outlined in the

[4] Joshua Freeman, et al., eds., *Who Built America?: Working People and the Nation's Economy, Politics, Culture and Society* (New York: Pantheon Books, 1992), 156.

[5] *Lynching in America: Confronting the Legacy of Racial Terror* (Montgomery, AL: Equal Justice Initiative, 2015), 4.

[6] William Graebner, "Federalism in the Progressive Era: A Structural Interpretation of Reform," *The Journal of American History* 64, no. 2 (September 1977): 331; Gabriel Kolko, *The Triumph of Conservatism: A Reinterpretation of American History, 1900-1916* (New York, 1963); Robert H. Wiebe, *Businessmen and Reform: A Study of the Progressive Movement* (Chicago: Quadrangle Books, 1968); Jeremy P. Felt, *Hostages of Fortune: Child Labor Reform in New York State* (Syracuse, NY: Syracuse University Press, 1965); Robert F. Wesser, "Conflict and Compromise: The Workmen's Compensation Movement in New York, 1890s-1913," *Labor History* 11 (Summer 1971): 345-72.

Platform of the Progressive Party drew attention to the needs of the general populace, the needs of the nation as a whole, and various resources or offices that should have been under the purview and jurisdiction of the federal government. Roosevelt himself wrote about the creation of the Progressive Party, "It is the great rallying point of those men and women of vision and understanding who seek to give proper direction in this country to the present world-wide awakening of democracy which is commonly called the Progressive Movement."[7] Other concerns of the period that culminated in a "movement" included proper use of natural resources such as forests, coal, oil, and waterways. Progressives championed early construction of national highways and the extension of rural free delivery, the distribution of immigrants away from congested cities, rigid supervision of all private agencies dealing with immigrants, and the promotion of their assimilation, education and advancement. One of the most significant points about the Progressive Era is precisely the widespread recognition of the need for positive governmental action at the national level.[8] "Wherever one looked laws, institutions and ideas were in process of change. Battles were waged by political means but were also carried into the realms of economic, legal and political theory, philosophy, religion, sociology, the arts, and American history."[9]

The white middle-class Protestant Progressives believed in the Hamiltonian concept of positive government, of a national government directing the destinies of the nation at home and abroad, and that uniform legislation was needed across all states. The real enemy was states' rights and limited government.[10] There was widespread concern about uniform state legislation

[7] Theodore Roosevelt, *Progressive Principles: Selections from Addresses Made During the Presidential Campaign of 1912*, ed. Elmer H. Youngman (New York: Progressive National Service, 1913), iv.

[8] Scott, "The Progressive Era in Perspective," 689.

[9] Ibid., 698.

[10] William Leuchtenburg, "Progressivism and Imperialism: The Progressive Movement and American Foreign Policy, 1898-1916," *The Mississippi Valley Historical Review* 39, no. 3 (December 1952): 483-85.

on a broad spectrum of subjects including child labor, workmen's compensation, mine safety, anti-trust, incorporation, road building, life insurance, inheritance and corporate taxation, conservation, food and drugs, motor vehicles, marriage and divorce, credit, vital statistics, the professions of medicine, law, and public accounting, and numerous legal and commercial procedures. Uniformity across states was extremely important so as to avoid competition for goods and services.[11]

New York City, the locus of immigration, poverty, and industry, had numerous public figures championing Progressive causes, including Seth Low, Columbia University President and then Mayor of New York City; vocal social work activists and settlement house workers such as Mary Kingsbury Simkhovitch, Stanton Coit, and Lillian Wald; and journalists Ida Tarbell and Jacob Riis. Reformers were often motivated by religious conviction, and religious societies and charities came to their aid in financing various projects. Prominent prison reformers included Thomas Mott Osborne, warden of Sing Sing from 1914-1916; Dr. Ernest Stagg Whitin, Professor of Social Legislation at Columbia University; Zebulon Brockway, founding warden of Elmira Reformatory; and Cornelius V. Collins, Superintendent of State Prisons and President of the National Prison Association, who founded the prison schools. The fact that many reformers were social workers and educators contributed to the prisoner reform ideals of treating each inmate as an individual with a personal plan or "treatment" for rehabilitation. Prison reformers were sometimes at odds with each other, and the political and economic backdrop to this period greatly influenced decisions that were made and to what extent reform efforts were allowed to take root.

[11] Graebner, "Federalism in the Progressive Era: A Structural Interpretation of Reform," 344.

It is within this social and cultural context that prison reform efforts and prison schools were able to flourish in New York. Politicians, public intellectuals, and muckraking journalists shed light on the conditions of the poor and imprisoned, and social workers put plans into action.

Prison Reform Movement

Prison reformers challenged several primary forces that characterized the old system of punishment, including: the legacy of physical punishment for crimes committed; the predestination of the criminal mind; the economic necessity of the prison industry to generate income; and the social necessity of hard labor for creating routine and discipline. Instead, reformers advocated for a new penology. The aim was to turn the brutal prisons of the nineteenth century into therapeutic communities.[12] In theory, the prison community would "normalize" prisoners and rehabilitate them for life post-incarceration through education, work, and recreation programs. Progressive Era thinking about the human brain and the rehabilitation of prisoners through incarceration, medical and psychiatric treatment, training, and education were at the core of reform.

Methods of correction changed dramatically between the founding of the American colonies and post-Civil War United States. Reformation in the seventeenth century was achieved through a variety of methods such as public disgrace, whipping, branding, ducking, hanging, and the pillory together with fines and restitution of property.[13] The growth of a mercantile economy opened up great possibilities for convict life. The transportation of English convicts to the American colonies under indenture began as early as 1619.[14] Indenture was often used as a substitution for execution. English prisoners were leased out to private entrepreneurs to work in

[12] Rothman, *Conscience and Convenience*, 17-32.
[13] Alice M. Earle, *Curious Punishments of Bygone Days,* 2nd ed. (New York: Duffield and Co., 1922).
[14] Glen A. Gildemeister, *Prison Labor and Convict Competition with Free Workers in Industrializing America, 1840-1890* (New York & London: Garland Publishing, 1987), 2.

mines or on farms. While corporal punishments, fines, and hanging dominated American penal practice through the colonial and revolutionary periods, emphasis on punishment through labor rapidly displaced the traditional form of simple punishment by cart-tail and whip.[15]

Reformers in the post-revolutionary, modern age of the late eighteenth and early nineteenth centuries questioned the efficiency and morality of colonial laws and practices. Public punishments, such as hangings, were thought to be fundamentally unenlightened.[16] The Enlightenment beliefs that all men are equal and that human beings are naturally good and possess the ability to improve themselves morally were central to new ideas concerning penal reform and incarceration.[17] The rhetoric of the Enlightenment suggested that individuals expressing criminal tendencies could be persuaded to exercise moral restraint, good judgment, and self-control, and this Enlightenment thinking persisted through to the Progressive Era.[18]

Punishment was now intended to serve a utilitarian function of crime prevention rather than moral condemnation for misdeeds.[19] The goal of the prison was not only to reform the criminal through well-organized regimens, but also to serve as a model of proper organization for the socially disorganized city.[20] American ambitions in prison building became a worldwide

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[15] Ibid., 5.

[16] Benjamin Rush is often cited for his thoughts on punishment, in Mark E. Kann, *Punishment, Prisons, and Patriarchy: Liberty and Power in the Early American Republic* (New York: New York University Press, 2005), 101.

[17] Enlightenment thinkers writing about the nature of punishment: Jeremy Bentham, *The Works of Jeremy Bentham* (Edinburgh: W. Tait, 1843); David Hume, "On Liberty and Necessity, Parts I and II," *An Enquiry Concerning Human Understanding*, ed. Tom L. Beauchamp (Oxford: Oxford University Press, 1999); Cesare Beccaria, *On Crimes and Punishments,* translated by Harry Paolucci (Indianapolis: Bobbs Merrill, 1963).

[18] Thomas Blomberg, *American Penology: A History of Control* (New York: Aldine de Gruyter, 2000), 29.

[19] For more extensive histories of penal reform of the Early Republic, see: W. F. Kuntz, *Criminal Sentencing in Three 19th Century Cities: Social History of Punishment in New York, Boston, and Philadelphia, 1830-1880* (New York: Garland Publishing, 1988); L. Radzinowicz, *Adventures in Criminology* (New York & London: Routledge, 1994); L. Friedman, *Crime and Punishment in American History* (New York: Basic Books, 1993); S. Elkins and E. McKitrick, *The Age of Federalism* (London: Oxford University Press, 1993); H. E. Barnes, *The Story of Punishment* (Montclair, NJ: Patterson Smith, 1972); Martin B. Miller, "At Hard Labor: Rediscovering the 19th Century Prison," *Issues in Criminology* 9, no. 1 (Spring 1974): 91-114.

[20] Blomberg, *American Penology*, 48. Religious-based philosophies of reform dominated reform efforts. Quaker discipline and work ethic were hugely influential in the establishment of penitentiaries: E. D. Bebb, *Nonconformity and Social and Economic Life, 1660-1800* (London: The Epworth Press, 1935); Arthur Raistrick,

fascination, drawing Europeans to observe the American promise of the prison-turned-penitentiary firsthand.[21] New penitentiaries such as Auburn, opened in 1818, strove to eradicate the problems of colonial jails, to ensure absolute separation of prisoners, and to create the opportunity for individual reformation.[22]

The Quakers were among the first to employ non-violent punishment in Pennsylvania prisons, Eastern State Penitentiary in particular. Although punishments were non-violent, the conditions were far from ideal; prisoners were placed in individual cells and worked in silence. Alternately, prisoners were chained and clogged, working by day cleaning and repairing public roadways and buildings. The emphasis on separation and reformation as well as on retribution and restitution marked a radical departure from mainstream eighteenth century penology. Yet, this penitentiary system came to be seen not as a formative method of reform or even of punishment, but as "penitence in monastic solitude."[23] The original design of prisons in pre-Civil War United States called for the systemic isolation of inmates both from fellow prisoners and from the society at large; prisoners would thus be shielded from contaminating influences, allowing the influence of religion, steady discipline, and regular work to transform unruly criminals into law-abiding citizens.[24]

The penitentiary movement of the early nineteenth century, best characterized by the building and establishment of Auburn State Penitentiary in 1816 in Auburn, New York, and

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Quakers in Science and Industry (London: Bannisdale Press, 1950); and Elizabeth Isichei, *Victorian Quakers* (London: Oxford University Press, 1970).

[21] In 1833, Alexis de Tocqueville and Gustave Beaumont visited America and toured prisons around the country. They praised the disciplinary routines that they observed, which included various forms of isolation, silence, and labor. Gustave de Beaumont and Alexis de Tocqueville, *On the Penitentiary System in the United States and Its Application in France* (Philadelphia: Carey, Lea, & Blanchard, 1833).

[22] Edgardo Rotman, "The Failure of Reform," in *The Oxford History of the Prison* (New York and Oxford: Oxford University Press, 1995), 35.

[23] Thomas O. Murton, *The Dilemma of Prison Reform* (New York: Holt, Rinehart and Winston, 1976), 11.

[24] Rotman, "The Failure of Reform," 169-97.

Eastern State Penitentiary in 1829 in Philadelphia, was a prison reform movement driven by religious conviction as well as economics. Prisoners were sentenced to rehabilitative hard labor that was to be conducted in absolute silence. Eastern State and Auburn presented two different silent systems of solitary confinement. At Eastern State, inmates were kept in solitary confinement for the majority of their week, with only a brief opportunity to go outside to the yard. During the day, inmates were employed in piecework within their cells, they ate by themselves in their cells, and they slept alone in their cells. Chaplains would visit occasionally to talk through a small window in the cell door. In contrast at Auburn, inmates would work together in silence during the day, but would be housed separately at night. The focus on solitary confinement sprang from the religious conviction that inmates needed to engage in constant reflection in silence in order to repent for their sins. Despite the good intentions of the penitentiary movement, reformers agreed overwhelmingly by 1870 that constant solitary confinement led to mental illness, and definitely did not prepare men for release back into society.

The propensity to use punishment as a public spectacle remained the same from the seventeenth century to the nineteenth century. Michel Foucault's description of the affinity of reformers toward public work as a penalty is striking: "In the old system, the body of the condemned man became the king's property, on which the sovereign left his mark and brought down the effects of his power. Now he will be rather the property of society, the object of a collective and useful appropriation."[25] This is why, according to Foucault, reformers in the nineteenth century proposed that public works be used as one of the best possible penalties so as to let the punishment be proportionate to the crime. "Public works meant two things: the

[25] Michel Foucault, *Discipline and Punish* (New York: Vintage Books, 1977), 109.

collective interest in the punishment of the condemned man and the visible, verifiable character of the punishment."[26] The idea of the convict as the property of society and of the state is remarkable; his body was the physical property of the state, but so too was his labor and the products of that labor. Clinton Prison was built in 1844 specifically to supply labor to the mines in Dannemora, New York. The struggle of workers to own their labor as property in order to legitimize them as citizens also meant that in becoming convicts, and giving up those rights as citizens, they gave up their property as well.

The visual representation to society of convict punishment was also essential. As Foucault wrote, "the convict pays twice; by the labor he provides and by the signs that he produces."[27] The "signs" of his status as a criminal as the property of society promote the solidarity of the collective conscience by conceding to it; by visualizing the criminal according to the definition lent to it by the collective, the penal system maintains an equilibrium in society. Durkheim suggested that society needed to penalize acts in order to give more energy to the collective sentiments that they offended. The rapport between crime and society was necessary to maintain the solidarity of the society.[28]

But, the design and administration of prisons in the post-Civil War period were not driven by theories of social and mental reform, or of social consciousness, but by budgets. Cells were often cruelly small with little or no light and frequently housed two or three inmates at a time once solitary confinement was abandoned. Incarceration was not only a form of punishment and rehabilitation but of social control, the "panopticon" described by Jeremy Bentham. An

[26] Ibid., 109.
[27] Ibid.
[28] Emile Durkheim, *The Rules of Sociological Method* (Glencoe, IL: Free Press, 1950), 80.

inevitable and essential feature of any system of criminal law and its administration is the use of punishment as a measure of social control.[29]

One focus of the Progressive reformers was the penitentiary system that first developed at Auburn Prison in New York, the prison that defined the American approach to incarceration during the nineteenth century. The penitentiary was an architectural marvel, built to enforce strict rules of obedience, routine, silence, labor, separation, and surveillance. The physical design of the institution was influenced not only by Jeremy Bentham's image of the perfect prison, or the panopticon, but by the medical rationales put forth by physicians such as Dr. Benjamin Rush. The constant threat of surveillance from the central guard tower was meant to instill a sense of self-discipline among inmates, each responsible for his own monitoring and control.[30] At Auburn, inmates occupied their own solitary cells at night, but worked together during the day. This system differed from the other major penitentiary system at Eastern State Penitentiary in Pennsylvania. At Eastern State, inmates occupied solitary cells day and night, and piecework was done in individual cells. It was generally accepted that the Auburn System made prison labor more profitable, over the system of total isolation, a system that was extremely difficult to maintain because of space shortages.

Ultimately, the wardens' inability to quantify their rehabilitative successes of solitary confinement led legislators to set a new goal for the prisons: economic profitability.[31] The hiring out of inmates as contract workers became the norm throughout the nineteenth century. The State

[29] Lloyd E. Ohlin, ed., *Prisons in America* (Englewood Cliffs, NJ: Prentice-Hall, 1973), 3.
[30] Foucault, *Discipline and Punish*.
[31] Matthew W. Meskell, "An American Revolution: The History of Prisons in the United States from 1777 to 1877," *Stanford Law Review* 51, no. 4 (April 1999): 839-65.

Prison Commissioners of the Progressive Era referred to this old system of penal servitude as nothing better than a "species of slavery."[32]

A monumental report by Enoch Wines and Theodore Dwight, commissioned by the New York State Prison Association, *A Report on Prisons and Reformatories in the United States and Canada* published in 1867, set off public conversation about prison conditions and needed reforms. The primary complaints concerned the penal system's reliance on corporal punishment, the inadequacies of the physical plants, the lack of training of staff, and the absence of centralized state supervision.[33] *A Report on Prisons* called for changes such as enlargement of cells, training of guards, and establishment of state boards to inspect prisons. However, the report most strongly called for a new vision of reform, one that did not punish criminals, but prepared them to re-enter society. Soon after in 1870, the Congress of the National Prison Association set in motion an agenda for reform that included the abolition of solitary confinement, better light and air, better sanitation, abolition of silence, and lock-step formation. Debate also started around proper reformation of prisoners, which included industrial training, literacy education, citizenship education, and moral and character education that would prepare convicts for a return to society. The Declaration of Principles as adopted by Congress outlined the new vision:

> The treatment of criminals by society is for the protection of society. But since such treatment is directed to the criminal than to the crime, its great object should be his moral regeneration. Hence the supreme aim of prison discipline is the reformation of criminals, not the infliction of vindictive suffering.[34]

Many other factors in the prison reform movement often took priority, largely around hygiene, cleanliness, light, and air. New prison architecture and rebuilding, forms of solitary confinement, types and duration of labor, indeterminate sentences and parole all played a

[32] Superintendent of New York State Prisons, *Annual Report* (1898), 7.
[33] Rotman, 172.
[34] Wines, 541-47.

significant role in the prison reform movement. The new penology of the Progressive Era, characterized by an optimistic view of the ability of the criminal to be rehabilitated, contrasted sharply with the old system of hard labor and physical punishment that left its legacy.

The prison reform movement was also driven by the Progressive Era's religious zeal for reform. The voices of reformers, many of whom were prison wardens themselves or wealthy philanthropists, believed that the school's primary role was to stir the spiritual life, the mind, and the emotions to lead to true reformation. The prison schools movement was not isolated to New York. Similar changes were taking place in other states.[35] Prison reformers attributed many of their setbacks to political interference.[36]

Abolition of Prison Labor

In Progressive Era New York, several political, economic, and social forces placed significant demands on the prison system, necessitating it make dramatic shifts in operation and management.[37] The primary political force affecting the prison system during the 1880s and 1890s was the coalition of prison laborers, farmers, and industrial workers protesting the unfair competition created by the convict lease system, under which inmates were hired out to private companies as free, or nearly free, labor. Once protests had settled and legislation put into place to abolish the convict lease system, the driving economic factor affecting prisons was the absence of financial support from prison industry. Social factors driving prison reform included prisoner idleness that grew in the wake of the abolition of the convict lease system. Once the contract labor system ended, prison wardens were left scrambling to avoid violent riots that resulted from

[35] Benjamin Justice, "'A College of Morals': Educational Reform at San Quentin Prison, 1880-1920," *History of Education Quarterly* 40, no. 3 (Autumn, 2000): 279-301.

[36] Blake McKelvey, *American Prisons: A Study in American Social History Prior to 1915* (Chicago: University of Chicago Press, 1936), 147-51.

[37] Meskell, "An American Revolution," 839-65.

the lack of physical labor and discipline. In addition to this practical need for order, Progressive reformers pushed for more humanitarian treatment of inmates as part of a new vision of rehabilitation and the role of incarceration in the betterment of society. These factors contributed to a changing prison system and the reforms that took shape as a result.

During the first half of the nineteenth century, penitentiaries followed a system called the public account system, under which prisoners, their labor, and the products of their labor were used by the State to support government production. Under this system, the State was considered to be a manufacturer, and entered into competition with its own citizens in the sale of goods.[38] The public account system had been tested in the prisons of Maine, Wisconsin, Illinois, Missouri, Virginia, and many others, and in nearly every case had been abandoned. The State did not pay rent or taxes, and as a manufacturer had no real competition. As a result, low-cost state-manufactured goods flooded the market and private companies lost much of their business.

In addition to the public account system, the lease system was favored by certain industries, particularly in agriculture and mining because their work was dependent on location. Under the lease system, prisoners were hired out of the penitentiary and were transported to industry work sites. Leasing was also popular for road and building construction and maintenance.

The third major system was called the contract system. This system allowed manufacturers to enter the penitentiary and, for all intents and purposes, transform the facility into a factor. Manufacturers provided all of the raw materials and machinery necessary for production, but they also had complete control over laborers, their hours, and working conditions. This system profited both the manufacturers and the prisons. But of course,

[38] John S. Perry, *Prison Labor: An Argument Made Before the Senate Committees of the Legislature of the State of New York, March 7, 1883* (Albany, NY: Weed, Parsons, and Company, 1883), 7.

corruption in the administration of both businesses persisted. Manufacturers would often complain about the physical or mental health of inmates and put them on the infirmary list. Then they would be given menial tasks to perform for half the general wage. It was common for a very large percentage of Sing Sing's inmates to be placed on the infirmary list at one time. Labor in prisons was talked about as an integral part of the rehabilitation process, but the potential for profit was too tempting to ignore.

As a locus of prison industry, New York State stands out as a place of intense protest activity against the convict lease and contract systems. Beginning in 1878, isolated pockets of farmers and industrial workers debated the contract prison labor system and organized local petition drives. Working conditions for prison laborers were so bad under the system that convict defiance matched the force of free workers and laborers. Acts of protest ranged from collective acts of theft, sabotage, arson, and self-inflicted injury.[39] Labor strikes were well disciplined and highly effective at Sing Sing Prison and Elmira Reformatory, among other places.[40] In many states, convict rebellions helped to open public debate over the efficacy and ethical value of the convict lease system. Union leaders pointed to prisoner uprisings and associated reports of abusive punishments as proof that their long-standing complaint that convict labor competed unfairly with free labor was justified.[41] In 1878, the Knights of Labor formulated a Declaration of Principles, in which they called upon the U.S. Congress to prohibit the hiring out of convict labor.[42] In the 1880s, the Central Labor Union of New York made the abolition of contract prison labor a central objective to their organization. In 1887, resolution was adopted by Congress and

[39] Rebecca M. McLennan, *The Crisis of Imprisonment: Protest, Politics, and the Making of the American Penal State, 1776-1941* (Cambridge, MA: Cambridge University Press, 2008), 139.

[40] *The New York Times*, July 26, 1879, 1; "The Abuses at Elmira," *The New York Times*, March 26, 1882, 1.

[41] McLennan, *The Crisis of Imprisonment*, 149.

[42] Carroll D. Wright, "An Historical Sketch of the Knights of Labor," *The Quarterly Journal of Economics* 1, no. 2 (January 1887): 137-68.

the Commissioner of Labor at the insistence of the Knights of Labor and their voluminous research into the comparative value of convict labor compared to free labor. Convicts were worth 78 percent of free labor costs, and New York State was responsible for the largest proportion of goods produced and revenue received.[43]

Organized labor's protest over the contract system created great political pressure on state lawmakers who, in turn, opened numerous investigations into the state of prison workshops. As labor organizations became bigger and more disciplined, the local and statewide efforts to abolish contract labor became part of the first national campaign against the system.[44] New York led the way by opening a groundbreaking legislative inquiry into the contract labor system in 1883. New York State legislators included thirteen bills seeking to regulate or abolish the contract system. Unable to settle on any one bill, the New York State Legislature voted to send the question to voters as a referendum in the November 1883 election, and New Yorkers voted to end the state's sixty-year-old system of contract prison labor.[45] During the year 1886, the total value of the products of convict labor were valued at $28 million, produced by 45,200 convicts. Their labor was estimated as being equivalent to that of 35,500 free laborers or, in other words, one convict's labor was equal to 78 percent of a free laborer. The state producing the largest number of convict-made goods was New York with nearly $6,250,000. Illinois came next, then Indiana and Ohio. One out of every nine shoemakers in New York was a convict, while in Massachusetts the proportion was only 1 in 112.[46] The general effect of convict labor was shown to cause a reduction in the wages of free labor. By 1887, all states with the exception of Indiana

[43] "Fruits of Convict Toil: The Investigation of the Commissioner of Labor," *The New York Times*, July 24, 1887, 5.

[44] McLennan, 155.

[45] *The New York Times*, November 10, 1883, 2.

[46] "Fruits of Convict Toil," *The New York Times*, July 24, 1887, 5.

had conducted official investigations.[47] The McDonough Amendment of 1894 in New York effectively put into motion the abolition of the system by prohibiting both the hiring out of prison labor to private enterprise and the sale of prison-made goods on the open market.[48]

These changes to the prison manufacturing law presented a potential financial crisis to prisons as nearly two-thirds of prison income was generated from the contract labor system.[49] Governors, lawmakers, and national political leaders including Theodore Roosevelt and Woodrow Wilson identified the prison labor problem as one of the key economic and social questions of the day, and state officials from every region of the country converged at national conferences to exchange ideas on how to tackle the issue.[50] In June of 1895, the New York State Legislature appointed a State Prison Commission to conduct an investigation into various alternative systems of prison labor and recommend one for adoption.[51] In May of 1896, Governor Levi P. Morton signed into law two bills that had been drafted by the Commission. One directed all prisons and reformatories to put hard labor towards a state-use system beginning in January of 1897, meaning that all items made by prisoners would be produced for state institutions and agencies only. The other bill allowed the Prison Commission to bring together all penal institutions into one great state system.[52] Never before had a state prison system of this scope existed.

New York's ambitious model was to be a vital test case for labor leaders and for the rest of the country to see if prisons could operate successfully without private funding, and in

[47] McKelvey, 255.
[48] McLennan, 194.
[49] Ibid., 8, 90.
[50] Ibid., 321.
[51] Ibid., 201.
[52] Ibid., 202.

isolation from the open market.[53] No other state had gone so far as to prohibit the sale of convict-made goods. Despite planning, proper infrastructure was not put in place for the new state system to succeed, and as of January 1897, not a single state agency had made a requisition for convict-made goods.[54] Prison workshops went unused, and prisoner idleness continued to lead to fights, riots, and boredom. Prisoner idleness opened the door to progressive reformers to create innovative solutions to the economic and social problems plaguing the penal system.

Discipline and order within prisons ceased to exist when physical employment was taken away from inmates. This presented an administrative crisis to wardens who scrambled to find alternatives for inmate occupation. In addition, union organizing, protests, and the legislative investigations that followed greatly heightened public awareness of the living conditions of prison inmates. Unions not only argued that the system was unjust to honest working men but that it was morally corrupt. The profit-driven system of imprisonment created a new system of slavery that did not serve the citizenry at large, but rather exclusively served private interests. Reports of torture and abuse under the prison labor system engendered powerful responses from political leaders, private philanthropic organizations and clubs, and socially conscious individuals including journalists and activists.

One of the reformers' arguments against the contract system was that it rendered the education of prisoners difficult, if not impossible. Contracts owned the time of the men, and the educational value of most trades was slight. Reformers believed trades should be chosen by inmates based on interest and mental and moral development. Prison reformers also argued against prison labor as a physical punishment and that it reflected poorly on American social

[53] The Knights of Labor endorsed the State Prison Commission's 1895 report in their Seventh Annual State Congress. *The New York Times*, January 15, 1896.

[54] New York State Commission of Prisons, *Annual Report* (1897), 7.

structure.[55] Yet, all stakeholders believed in the reformational value of manual labor and training. "The Influence of Manual Training on Character," delivered in 1888 at the annual session of the National Conference of Charities and Correction in Buffalo by Dr. Felix Adler, traced the effect of industrial education in strengthening and disciplining the will, in developing the property sense, and in establishing mental and physical competencies. Manual work is listed as one of the core principles of reform in the Declaration of Principles of the National Prison Association.[56] Moreover, Inspector Albert C. Hill of the Bureau of Education, who outlined the purposes of education in prisons, advocated for manual work. Yet, philanthropists and reforms recognized the distinction between productive labor and profitable labor. They believed that the root of all evils in the New York prison system was the desire to make money out of convicts.

The New Penology

After Enoch Wines and Theodore Dwight presented their *Report on Prisons* in 1867, the New York Prison Association called the first national meeting for the National Prison Association in Cincinnati, Ohio in 1870. It was the first centralized organization to discuss the issues surrounding prison labor and issues of rehabilitation. That development coincided with the emergence of the progressive prison reform movement. New York Prison Association leader Enoch Wines, reformer Zebulon Brockway, and others incorporated their ideas into the manifesto of progressive principles proclaimed at the 1870 founding of the National Prison

[55] Books that observe the economic and fiscal needs of the state include: Anthony M. Platt, *The Child Savers: The Invention of Delinquency* (Chicago: University of Chicago, 1969); Miller, "At Hard Labor"; Dario Melossi, *The Prison and the Factory: Origins of the Penitentiary System* (Basingstoke, Hampshire: Palgrave Macmillan, 2018); Christopher R. Adamson, "Punishment after Slavery: Southern State Penal Systems, 1865-1890," *Social Problems* 30, no. 5 (June 1983): 555-69; Gil Gardner, "The Emergence of the New York State Prison System: A Critique of the Rusche-Kirchheimer Model," *Crime and Social Justice*, no. 29, Justice: Comparative and Theoretical Issues (1987): 88-109; John A. Conley, "Prisons, Production and Profit: Reconsidering the Importance of Prison Industries," *Journal of Social History* 14, no. 2 (Winter 1980): 257-75; Joan Smith and William Fried, *The Uses of American Prison: Political Theory and Penal Practice* (Lexington, MA: Lexington Books, 1974), 1-25; Robert P Weiss, "Humanitarianism, Labour Exploitation, or Social Control: A Critical Survey of Theory and Research on the Origin and Development of Prisons," *Social History* 12, no. 3 (October 1987): 331-50.

[56] Wines, *Transactions of the National Congress on Penitentiary and Reformatory Discipline,* 548.

Association (now called the American Correctional Association [ACA]). The objectives of the National Prison Association were improvement of laws in relation to public offenses and ways in which the laws were enforced; improvement of penal, correctional, and reformatory institutions including appointment of boards of control; and the care and employment of discharged persons, especially those who show evidence of reformation.

New York introduced sweeping penal reforms during the Progressive Era that laid a new foundation for the penal system that was not based on hard labor. The period 1894 to 1905 was the first phase of transition in prison education towards a spectrum of instruction that went beyond vocational training. During this period, incredible changes took place in the prison's relationship to labor as the eventual decline of prison industry necessitated a reevaluation of prisoners' time, abilities, and usefulness.[57] A second phase in the development of correctional education took place between 1905 and 1920 in response to these problems, that we will call the prison school experiment. In 1905, the first prison building devoted to scholastic learning, rather than trades instruction, was built at Sing Sing Prison in New York alongside the prison hospital.[58] As a state penal system developed for the first time, prison schools took on new meaning in the effort to reform criminals. For the first time, the development of the mind of the prisoner became the focus of wardens rather than the punishment of his body or the redemption of his soul. The Annual Report of the State Commission Prisons for 1905 discussed the reorganization of prison schools under the general supervision of the Department of Education of

[57] Terry Angle, "The Development of Education Programs in American Adult Prisons and Juvenile Reformatories During the Nineteenth Century," *Journal of Correctional Education*, 33, no. 3 (1982): 6.

[58] *Sing Sing Prison: Its History, Purpose, Makeup, and Program* (Albany: Dept. of Correction, New York State, 1958), 17-18.

the State, "with a view of giving to the prisoners better opportunities for school instruction and increased facilities for acquiring a fairly good education."[59]

Reforms to the New York penal system included structural and hygiene improvements such as the installation of electric lighting, modern plumbing, ventilation, and automated front gates operated from a central guard tower. [60] A case history system was established, where prison staff generated a record of individual labor experience, skills, health, family background, and rehabilitation potential. This case history system contributed to the creation of a classification of the prison population into "grades" based on these records. Furthermore, disciplinary methods used during the height of prison industry such as the lockstep march, the silent rule, and paddling were replaced with more humanitarian regimes that included a system of privileges, incentives, and probation.[61] Finally, literacy and vocational education programs crowned these sweeping innovations.

The aim of reformers was to turn the brutal prisons of the nineteenth century into therapeutic communities. In theory, the prison community would "normalize" and "Americanize" prisoners and rehabilitate them for life post-incarceration through education, work, and recreation programs. Progressive Era thinking about the human brain and the rehabilitation of prisoners through incarceration, medical and psychiatric treatment, training, and education were significant topics in the fields of psychology and social science, and popular

[59] *Eleventh Annual Report of the State Commission of Prisons for the Year 1906*, 10.

[60] Leading historians of Progressive Era prison reform include: Estelle B. Freedman, *Their Sister's Keepers: Women's Prison Reform in America, 1830-1930* (Ann Arbor: University of Michigan Press, 1981); Paul W. Keve, *Prisons and the American Conscience: A History of U. S. Federal Corrections* (Carbondale: Southern Illinois University Press, 1991); Blake McKelvey, *American Prisoners: A Study in American Social History Prior to 1936* (Chicago: University of Chicago Press, 1936; David J. Rothman, *Conscience and Convenience: The Asylum and Its Alternatives in Progressive America* (Boston and Toronto: Little, Brown, 1971); Larry E. Sullivan, *The Prison Reform Movement: Forlorn Hope* (Boston: Twayne Publishers, 1990).

[61] McLennan, 194.

among prison reformers.[62] The burgeoning field of psychology opened up experimental methods to modify behaviors, and developing fields of biological and social sciences provided a fresh interpretation of crime's causes.[63] Thanks to new prison classifications systems, which resulted in female inmates and juveniles occupying new facilities specifically for them, normalization programs could be tailored for each community. White men would be educated as literate and skilled employable workers, and immigrants would become Americanized citizen laborers.[64]

Numerous government departments and bureaus, private organizations and clubs, and individual activists comprised the coalition of prison reformers that advocated for the new penology. Formed under the new state system, the State Prison Commission led a new way of thinking and talking about inmates and their rehabilitation. A novel conception of the nature and responsibilities of the penal arm of the state and the ethical and social functions of government began to take shape as the Commissioners deliberated.[65] In contrast to the old system of punishment, New York's new system treated inmates as individual men with distinct skill sets, histories, talents, and needs. The State Prison Commissioners referred to inmates as wards of the state deserving of more gentle guidance by the parental state. The mission of the penal system would be to nurture, educate, and instill the "manly" virtues into its wards with the purpose of rehabilitating them into healthy, employable, and law-abiding citizens.[66]

In addition to the State Prison Commission, the United States Bureau of Education, then part of the Department of the Interior, and the New York State Education Department advocated for the building and maintenance of prison schools.[67] Private philanthropic organizations

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[62] Ibid.
[63] Blomberg, 63.
[64] Rothman, 118-28.
[65] Superintendent of New York State Prisons*, Annual Report* (1898), 7.
[66] Ibid.
[67] A. C. Hill, "Prison Schools," *United States Bureau of Education Bulletin*. By 1913, 44 prison schools had been established in the United States at 55 prisons surveyed by the New York Department of Education.

included the National Prison Association, originally formed as the Prison Association of New York in 1844, supported the development of prison schools, and the work conducted there was discussed and debated at annual conferences.

Thomas Mott Osborne, Chairman of the new State Commission on Prison Reform from 1913-1914 and warden of Sing Sing from 1914-1916, was perhaps one of the most influential reformers of the new penology. Going undercover as a prisoner inside Auburn Prison, Osborne detailed his daily activity in a published book, *Within Prison Walls*.[68] Osborne himself was so moved by his experience and the friendships that he developed with other inmates that he established a prisoner-run league that would be self-monitored and self-selected. This eventually became known as the Mutual Welfare League at Auburn Prison. Osborne's published works helped to promote support for his reform.[69]

The history of the Mutual Welfare League highlights complex social forces and prisoners' agency on the history of a key moment in prison education.[70] The League can be seen as a larger movement towards self-government promoted in prisons as well as in schools and factories to control students and workers in the social unrest that accompanied the rapid urban growth of the period.[71] Under the supervision of a head teacher, oftentimes the prison chaplain, inmates served as teachers for each other. Some head teachers went into prisons without formal training or certification credentials, and they were frequently required to teach general education

[68] Rudolph Chamberlain, *There Is No Truce: The Life of Thomas Mott Osborne* (New York: MacMillan, 1935).

[69] Thomas Mott Osborne, *Within Prison Walls: Being a Narrative of Personal Experience During a Week of Voluntary Confinement in the State Prison at Auburn, New York* (1914), *Society and Prisons* (New Haven, CT: Yale University Press, 1916), *Prisons and Common Sense* (Philadelphia: J. B. Lippincott Company, 1924).

[70] Howard S. Davidson, "Political Processes in Prison Education: A History," *Journal of Correctional Education* 47, no. 3 (September 1996): 133-37.

[71] Howard S. Davidson, "An Alternative View of the Past: Re-visiting the Mutual Welfare League, 1913-1923," *Journal of Correctional Education* 46, no. 4 (December 1995): 169.

subjects rather than an area of specialty.[72] This inmate teacher arrangement allowed for a new sense of agency to emerge from participation in prison schools.

The Progressives' optimistic view that criminals could be rehabilitated through individualized programming formed the core of the new penology, while political, economic, and social forces coalesced to create fertile ground for change. The next chapter further explores the development of the progressive classification system established to move prisoners through stages of rehabilitation and parole.

[72] Blomberg, 113.

Chapter 3

CLASSIFICATION OF PRISONERS

Introduction

Principle IV of the Declaration of Principles of the 1870 Congress of the National Prison Association stated:

> The progressive classification of prisoners, based on merit, and not on any mere arbitrary principle, as age, crime, etc., should be established in all prisons above the common jail. Such a system should include at least three stages, viz: 1. A penal stage, with separate imprisonment, longer or shorter according to conduct. 2. A reformatory stage, worked on some mark system, where the prisoners are advanced from class to class, as they earn such promotion, gaining, at each successive step, increased comfort and privilege. 3. A probationary stage, into which are admitted only such as are judged to be reformed, and where the object is to test their moral soundness--the reality of their reformation.[1]

This classification system was part of the vision of the new penology of the Progressive Period and contributed towards transforming the prison into "one great school." Prison schools were an essential part of Stage 2, or the reformatory stage, based on marks and advancement from one class to the next. In addition to the marks system, Progressive Era reforms included the indeterminate sentence, the honor system, and the parole system as important pieces of progressive classification.

This progressive classification system was one of several systems created during this period. First, separate institutions had been created for mentally ill or disabled inmates, juveniles, and women. New York and Massachusetts were the only two states in the United States to separate mentally ill prisoners from the general inmate population. Furthermore, a case history system was used to determine prisoner likelihood for reform. Upon entry into the prison, vast amounts of information were collected on each inmate to create a case history, and this

[1] Wines, 549.

information was used in a variety of ways throughout the prison stay. Those who were considered reformable attended classes at prison schools, participated in exercises in self-government, played on sports teams, and sang in choirs. In this chapter, I answer the question: Who were the men attending New York State prisons? Furthermore, I explore some distinctions between which prisoners were considered reformable or not reformable, Progressive ideas on the causes of criminality, the case history system, and the progressive classification system. These illustrate for us who attended prison schools.

The distinction between reformable and not reformable was made in a variety of ways through a detailed and extensive prison classification system, or case history system, informed by decades of studies conducted in Europe and the United States, devised and elaborated upon during the Progressive Era. The movement for classification of prisoners into groups was defined by methods of determining what individuals would be well adjusted to each other.

Progressive prison reformers were confident that their work contributed towards the "rapid strides" of altruism, and the "onward march of the human mind and heart" that slowly changed the attitude of man toward his fellow men.[2] Education was thought to be central to this uplift. Older methods of physical punishment and hard labor were proven to be failures; bars and stripes, foul air, and foul food did not deter crime. The term "education" was used by reformers in the broadest sense, including influences affecting the individual and community life. In this sense, the whole prison was considered to be a school, according to prison school inspector A. C. Hill: "And all, both officials and inmates, are consciously or unconsciously, both teachers and pupils. Prison schools, in a narrower sense, are the organized centers from which radiate some of

[2] A. C. Hill, *Prison Schools*, 1913, 7.

the more important and helpful educational influences."[3] Prison schools were to be the center of where reformation of inmates took place.

The classification of prisoners is an essential component of our understanding of the reforms, policies, and social experiments put in place by the new penologists, for it was this classification system that determined which prisoners attended prison schools, which prisoners worked only in prison workshops, and which prisoners were sent to prison hospitals. Classification generally worked in favor of those with the least amount of education upon arrival at the prison, since addressing the issue of illiteracy was paramount for prison educators and administrators. Prisoners themselves recognized the role of classification and how it affected their time in prison, even advocating at times that the system be used to determine employment prospects. One inmate wrote in the prison newspaper, *Star of Hope*:

> At the present time, the inmate on entering a prison is measured, his finger prints are taken and he is thoroughly Bertillionized… it is perfectly apparent that in order to reform an inmate all the data of his former career should be gathered as well as his tastes and habits and vices, so that he be fitted to the work that he will best do on the outside of the walls when he goes free.[4]

Social reformers and penologists were confident in the belief that America led the way in prison reform. The belief that prisoners under proper treatment could be reformed took deeper root in the American mind than in any other part of the world.[5] Reform experiments in Britain and Ireland drew attention, but none like the American experiment.[6] The American ideal of the

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[3] Ibid., 8.

[4] Sing Sing No. 65368, "Universities vs. Prisons," *Star of Hope*, October 1916, 4.

[5] Joseph F Scott, *Sixth Annual Sessions of the Conference of Charities and Correction,* 1905, 164.

[6] Maconochie, Norfolk Island prisons. Alexander Maconochie (11 February 1787-25 October 1860) was a Scottish naval officer, geographer, and penal reformer. In 1840, Maconochie became the Governor of Norfolk Island, a prison island where convicts were treated with severe brutality and were seen as lost causes. Upon reaching the island, Maconochie immediately instituted policies that restored dignity to prisoners, achieving remarkable success in prisoner rehabilitation. Sir Walter Frederick Crofton (1815-1897) was chair of the Board of Directors of Convict Prisons for Ireland between 1854 and 1862. He is sometimes cited as Alexander Maconochie's ideological heir. Under Crofton's system of prison administration, known as the Irish system, prisoners progressed through three stages of confinement. During the first stage, the penal stage, prisoners were held in solitary cells for approximately nine months. The second stage involved communal labor in public works prisons. For the third stage, officials

self-made man fueled philosophical, sociological, and medical arguments on the reformability of inmates and manifested in the prison school.

The Progressive Period presents a clash of theories on the causes of criminality—hereditary factors rooted in biology versus environmental factors such as poverty, poor nurturing and poor parenting—yet reformers agreed that while prisons merely contained criminals, they did not remove the causes of crime.[7] Reformers agreed that those causes could be eliminated by instilling middle-class Protestant values in those who were capable of receiving such instruction. While prison education efforts were hampered by widespread illiteracy, which dominated the classroom time,[8] the primary goal was to create "schools of character" for inmates, to go beyond reading and writing to broader fields of thinking and reasoning. It was generally agreed upon by members of the 1870 Congress that "The necessity of prison-schools will appear, if one carefully considers the state of education among prisoners as a class."[9]

Progressive Ideas on the Causes of Criminality

Prison administrators, government officials, as well as reformers were informed by the new science of penology and criminology, burgeoning fields that were shaped by a new community of researchers and social scientists. They relied on studies conducted in Europe and the United States that helped to build a Progressive Era understanding of the causes of criminality. Social Darwinists were at the center of the eugenics movement, which promoted the belief that intelligence and moral behavior were genetically inherited traits, and that "feeble-

promoted prisoners in small numbers to "intermediate" prisons (essentially a halfway house, where they could run errands and attend church in the community) as a final test of their readiness for Irish tickets of leave. A prisoner who received a ticket was granted conditional release into the community, in which he would be supervised by law enforcement or civilian personnel who were required to secure employment and to conduct home visits. These "supervisors" represented the forerunner to modern parole officers.

[7] A. C. Hill, "Prison Schools," 8.

[8] A. C. Hill, "Schools for Adults in Prisons," United States Bureau of Education, Bulletin 1924, No. 19 (Washington: Government Printing Office, 1924), 59.

[9] Wines, 193.

mindedness" and criminality could be passed on genetically as well. By the end of the period, some of this focus on inherited criminal traits was replaced with studies of the social and environmental factors that shape the living conditions or life trajectory of incarcerated persons.

Several sensational and influential studies conducted in the United States helped shape scientific notions of criminality and heredity. Richard Dugdale's 1877 study *"The Jukes": A Study in Crime, Pauperism, Disease, and Heredity* traced six generations of a poor rural family in New York and their long history of criminality.[10] Similarly, Henry Goddard's book *The Kallikak Family: A Study in the Heredity of Feeble-Mindedness*, published in 1912, explored similar themes and ideas and provided some foundation for forced sterilization.[11] In New York, the Laws of 1912 allowed for the sterilization of inmates deemed unfit for producing offspring that would be mentally, emotionally, and physically sound.[12] Dugdale was a member of the executive committee of the Prison Association of New York and, not surprisingly, his study informed numerous administrative decisions in prisons, particularly the support of sterilization. These studies were eventually discredited, but they became a commonplace reference for the theory of hereditary criminality.[13]

The notion of heredity was an important part of Progressive thinking regarding criminal behavior and determining reformability of inmates. Heredity became an important idea because there was a new group of experts who could testify to the science of it.[14] By 1914, forty-four colleges had introduced eugenics into the curriculum, teaching the subject as a science much like

[10] R. L. Dugdale, *"The Jukes": A Study in Crime, Pauperism, Disease, and Heredity* (6th ed.) (New York and London: G. P. Putnam's Sons, The Knickerbocker Press, 1900). The study was first published as part of the 30th annual report of the Prison Association of New York.

[11] Henry Herbert Goddard, *The Kallikak Family: A Study in the Heredity of Feeble-Mindedness* (New York: The MacMillan Company, 1921).

[12] New York Laws of 1912, Art. 19.

[13] Carl Jay Bajema, ed., *Eugenics Then and Now* (Stroudsburg, PA: Hutchinson Ross, 1976) and J. D. Smith, *Minds Made Feeble: The Myth and Legacy of the Kallikaks* (Rockville, MD: Aspen, 1985).

[14] Mark H. Haller, "Heredity in Progressive Thought," *Social Service Review* 37, no. 2 (June 1963): 167.

engineering or math.[15] While the studies advocated forced sterilization, they also were influential in reducing sentences for criminals with intellectual disabilities and recommending segregation in separate treatment facilities or hospitals for the mentally ill. New York and Massachusetts were the only two states at the time who separated inmates thought to be mentally defective into separate institutions. In all other states, mentally ill prisoners were kept in jails, reformatories, or in prisons with other inmates.[16]

Professionalization of social welfare activities cemented after the Civil War and led to the development of specific professions devoted to the study and care of the insane, feeble-minded, epileptic, criminal, and pauper. The professionals formed societies, published journals, and held conventions and annual meetings. These professionals settled on heredity as a major contributor to mental defects and aberrations, and in the 1890s, there arose the creation of institutions for the feeble-minded. It is during this time that we begin to see classification by the terms "idiot," "imbecile," and "moron" to describe persons with moderate to severe intellectual disabilities, and these terms are readily found in prison annual reports. The emerging field of eugenic criminology fostered the belief that crime could be reduced by reducing the number of "feeble-minded" persons. The Governor appointed one surgeon, one neurologist, and one practitioner of medicine, each with at least ten years of experience, to be known as the "Board of Examiners of Feeble-minded, Criminal and Other Defectives" to examine the mental and physical condition, and the record and family history of the feeble-minded, and to prevent procreation if in their judgement defective children would be produced. At the time, these procedures and laws were

[15] R. Whitaker, *Mad in America: Bad Science, Bad Medicine, and the Enduring Mistreatment of the Mentally Ill* (New York: Perseus Books, 2002), 49.

[16] Austin H. MacCormick, *The Education of Adult Prisoners: A Survey and a Program* (New York, National Society of Penal Information, 1931), 23.

urged by the experts and largely regarded as progressive reforms.[17] Such measures were thought to reduce poverty and the costs associated with their care as well as reduce the criminal element in society. Reformatory leaders often leaned on heredity studies as a way to lay blame on genetics for their failure to reform and rehabilitate criminals.

Cesar Lambroso, the Italian criminologist, was a major intellectual influence in the 1890s in the development of character studies of criminals, identifying physical characteristics such as oddly shaped heads, crooked teeth, and hooked noses as markers of criminality, which were associated with heredity theory. Soon, American sociologists and prison physicians measured heads and examined facial features of their inmates as well.[18] Theories of ethnic inferiority and the causes of vice and crime proliferated.[19] Staff physicians at prisons and mental hospitals analyzed the looks of criminals from photographs for evidence of criminality.[20]

Alphonse Bertillon, a French criminologist, devised a system of measuring various body parts of criminals as a method of identification, such as the length of the forearm or index finger. The law of New York specified that the Superintendent of state prisons use the Bertillon system for identification of all criminals.[21] Bertillon was a French police officer and biometrics researcher who applied anthropometry to law enforcement. Anthropometry was the first scientific system used by police to identify criminals. Prior to this system, criminals could only be identified by name or photograph. The Bertillon system was later replaced by fingerprinting. Bertillon also invented the "mug shot" for use in law enforcement.[22]

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[17] Haller, "Heredity in Progressive Thought," 171.

[18] Ibid., 168.

[19] George Frank Lydston, *The Diseases of Society: The Vice and Crime Problem* (Philadelphia: J. B. Lippincott, 1904).

[20] John Sanderson Christison, *Crime and Criminals* (2nd ed.) (Chicago: S. T. Hurst, 1899).

[21] Prison Laws, 1909, Sec. 21.

[22] Bertillon was also a key expert witness for the prosecution in the Dreyfus Affair which resulted in Alfred Dreyfus being sentenced to life imprisonment on Devil's Island in 1894. The decision was eventually overturned.

Case History System

Once inside the prison, inmates were classified and categorized in many ways, but the two primary factors that contributed to reformability were prior criminal history and intelligence. Intelligence and aptitude tests were used as tools to help determine likelihood of rehabilitation in prison schools. There were several ways prison administrators gathered information on inmate intelligence. The first way of classifying convicts in penal institutions was by sentence. Three classes included: prisoners working off fines and costs; prisoners serving sentences, either fixed or indeterminate; and prisoners awaiting capital punishment.[23] Prisoners awaiting capital punishment were not considered to be reformable and did not participate in education programs. Those working off fines could have their fine paid by family or friends, or they could work off their fine in prison at a rate determined by the state. For those serving sentences, fixed sentences in New York for all first offenders convicted of felonies other than murder of first or second degree, the minimum sentence was not less than one year or not more than half the longest period fixed by law for the crime. The maximum sentence was the longest period fixed by law.[24] New York was one of the first states to institute the indeterminate sentence. In all states, it was well established that the sentence of the court, whether expressly provided or not, was a sentence to hard labor.[25]

Separating inmates by age was an important development during this period as well. Reformers were concerned about juveniles and adults being housed together in prisons, and they were concerned about the plasticity and rigidity of character between the ages. A. C. Hill wrote,

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[23] Ernest Stagg Whitin, *The Caged Man: A Summary of Existing Legislation in the United States on the Treatment of Prisoners* (New York: Academy of Political Science, 1913), 5.

[24] Birdseye's Consolidated Laws, 1909, Art. 196, Sec. 2189, cited in Whitin, *The Caged Man*, 14.

[25] Hard labor did not preclude harsher punishments for fixed periods of time. Dungeons were permitted in New York for the purpose of solitary confinement, for short allowances prescribed by a physician. But corporal punishment in the form of "blows" was prohibited, as was showering with cold water and carrying of the crucifix, yoke, and buck. R. S. 1909, C. 47, Art. 6, Sec. 153 and 154.

"It is enough to realize that there are these two stages in the development of every person, the plastic and growing, and the rigid and fixed, and that methods of procedure in efforts to affect character should differ materially in the two stages."[26] The establishment of the reformatory for youthful offenders was an important development, and the reformatory generally served first-time offenders. Young men as old as thirty who had never committed a crime could be sent to Elmira Reformatory, however. Different techniques were needed for teaching adults versus teaching youth, and their character development was recognized to be a different stage.

The development of the Binet-Simon Intelligence Test was an important component of prisoner classification. The original purpose of the tests, as conceived by Alfred Binet in Paris, was to diagnose feeble-mindedness through the measurement of intelligence.[27] The test required the test taker to respond to a series of tasks that included written answers, verbal responses, physical gestures, problem solving, and some general knowledge. Since the prevention of feeble-mindedness seemed key to fighting crime, pauperism, and prostitution, many saw the struggle to prevent feeble-mindedness as a central reform of major importance. As a result, the menace of the feeble-minded became a major topic for discussion whenever experts on social welfare congregated. The National Conference of Charities and Correction and the American Prison Association urged action. Journals of psychology and journals of social reform printed results of research. Inevitably, "a National Committee on Provisions for the Feeble-minded" came into existence.[28] Between 1910 and 1923, as a result, institutional care of the feeble-minded more than doubled in the United States.

[26] Hill, "Prison Schools," 10.
[27] Haller, 169.
[28] Ibid., 170.

The Binet-Simon Measuring Scale intelligence tests are evident in inmate case files. Questions asked on the test included drawing an object after being shown for ten seconds; solving word problems; defining charity, justice, and goodness; and creating a sentence in one minute using the words "girl," "river," and "plank."[29] "Most of the tests require a certain vocabulary…. But the possession of a good vocabulary is one sign of intelligence and the correct use of words is a test of judgement," wrote Elizabeth S. Kite for the Committee on Provision for the Feeble-Minded.[30]

In 1916, Dr. Bernard Glueck, a psychiatrist, created a nonverbal intelligence test for immigrants at Ellis Island. Dr. Thomas Salmon, of the National Committee for Mental Hygiene, and Dr. Glueck established the county's first penal psychiatric clinic at Sing Sing. Funded by a sizable grant from the Rockefeller Foundation, the clinic proceeded under Dr. Glueck's directorship to examine virtually all of the prisoners committed to Sing Sing between August 1916 and April 1917.[31] Glueck's seventy-page report on his findings was published to much acclaim in 1916; it was the first comprehensive psychiatric case study of adult convicts in the United States.[32] As Arthur McDonald wrote in his *Plan for the Study of Man*, since prisoners lived off of the bounty of the State, "questions can be asked and investigations permitted that would be very difficult outside of prison."[33] The purpose in studying prisoners was to trace out

[29] Auburn Case Files, Box 1, Folder 6, 14610-77A, Louis Cooper; Auburn Case Files, Box 1, Folder 5, 14610-77A, Giovanni Ciochatti.

[30] Elizabeth S. Kite, *The Binet-Simon Measuring Scale for Intelligence: What It Is; What It Does; How It Does It; With a Brief Biography of Its Authors, Alfred Binet and Dr. Thomas Simon,* printed by The Committee on Provision for the Feeble-Minded, Bulletin No. 1, 1915, 10.

[31] "Clinic for Sing Sing," *New York Times*, April 9, 1916, 4. Warden G. W. Kirchwey reorganized the medical department and coordinated with physicians and surgeons to test the theory that many inmates were mental defectives.

[32] Bernard Glueck, *Studies in Forensic Psychiatry* (Boston: Little Brown and Co.), 1916.

[33] Arthur MacDonald, *A Plan for the Study of Man*, Senate Document, 1902, 77.

the underlying and constant causes of crime, and to apply direct means towards its prevention and repression.

Psychiatric and psychological testing was formally introduced to Sing Sing Prison in 1916. Thomas Mott Osborne and his supporters considered psycho-medical study a crucial tool in their effort to more accurately classify prisoners and to develop a specialized state prison system; to the classificatory system that administrators had established in the 1890s, the new penologists added the distinctly psychological categories of sexuality and personality. In their view, sexual "degenerates" were a distinct category of prisoner and the prison system ought to identify and deal with them separately. Whereas the new educational and recreational activities, better food, and prisoner self-policing were aimed at eradicating the sexual relations of the supposedly ordinary prisoner, the small army of doctors and psychiatrists who frequented Sing Sing in 1915 and 1916 were chiefly concerned with the group of prisoners Thomas Mott Osborne had described as degenerate.[34]

In addition to physical attributes and intelligence tests, inmates were asked extensive questions about their family, family medical history, childhood and adolescent experience, work history, and education history. Inmates were asked place and country of birth, nationality of parents, order of birth with siblings, age of parents when born, and marital status. Regarding education history, inmates were asked age began school, attendance, deportment, grade reached, reason for leaving school, and later study. Inmates were asked about personal habits such as tea and coffee consumption, alcohol, tobacco, drugs, and sexual history. They were asked about family health history, diseases, hospitalizations, and causes of death. They were asked about hereditary conditions, chronic diseases, nervous disorders, alcohol abuse, criminal history,

[34] McLennan, 400.

previous illnesses, sexually transmitted diseases, and injuries and operations. A full physical was taken. Inmates were asked about their childhood, number of people living at home, number of rooms, morals in the home, and church attendance. Inmates were asked about their adolescence, when they left home, and how well they kept in touch with families. Inmates were asked about hobbies and interests, and attitudes towards various vices. Inmates were asked about their marriage, wife's occupation, wages, religion, and habits.[35]

Inmates were asked about their reaction to incarceration—stoical, bravado, apathetic, remorseful, resentful, or revengeful. Inmates were asked a number of questions to determine mental state. They were asked to demonstrate knowledge of reading and writing. Inmates were asked about their highest and lowest work ambitions. These questions helped prison administrators determine the disposition of inmates, who would best respond to school work and what the likelihood of rehabilitation would be.[36] All of this information contributed to creating a highly detailed and comprehensive case file for each inmate that would then be used to create an individualized plan of reform to move the inmate through progressive stages of rehabilitation.

The case history model focused attention on the individual and individual capacity for learning and rehabilitation through examination of prior experience. This attention to individual capacity and experience reflected some of John Dewey's philosophy on child-centered education and educating the "whole child." While Dewey primarily considered the needs of children and not adults, considering children to still be plastic and moldable rather than rigid, he also wrote that every individual should "have opportunities to employ his own powers in activities that have meaning."[37] Dewey wrote in 1897 in "My Pedagogic Creed" that knowledge of social conditions

[35] Auburn Inmate Case Files, Box 1, Folders 5-15.
[36] Ibid.
[37] Jo Ann Bydston, ed., *The Middle Works of John Dewey, 1899-1924*, Volume 9 (Carbondale and Edwardsville: Southern Illinois University Press, 1985), x.

and of the present state of civilization is necessary in order to interpret the child's powers properly.[38] He assumed here that some notion of race or family or genetic inheritance comes into play here in terms of children's instincts, tendencies, and preferences. Dewey wrote, "To prepare him for the future life means to give him command of himself; it means to train him that he will have the full and ready use of his capacities."[39] The individual cannot be separated from society; otherwise, he is an abstraction. Contextualizing the individual within his lived experience potentially informs his future choices, actions, and preferences. The case history model developed as part of the classification system focused on family history, intelligence tests, moral habits, and vocational experience. Using information collected from these categories, prison administrators were able to construct an individualized plan for reform for each inmate looking at the whole of his experience and potential for work and participation in society.

Progressive Classification System

Progressive classification was the system of stages through which a prisoner must pass in order to be considered reformed. This included a period of forced or solitary confinement, a period of labor and rehabilitation through schooling, and a period of independence to prove true reform. The indeterminate sentence was an integral part of the progressive classification system as it allowed flexibility to prison staff in determining a prisoner's release. The indeterminate sentence was first outlined by the reformers of the 1870 Congress of the National Prison Association and included in the Declaration of Principles.[40] Prisoners could earn their release by showing they had been reformed. The indeterminate sentence was first implemented at Elmira Reformatory in 1877. The reformatory would hold onto youthful offenders so long as it was

[38] John Dewey, "My Pedagogic Creed," 1897 from *Philosophical Documents in Education* (2nd ed.), ed. Ronald F. Reed and Tony W. Johnson (New York: Addison Wesley Longman, 2000), 93.
[39] Ibid., 94.
[40] Wines, 551.

necessary to rehabilitate them. New York passed a general indeterminate sentencing law in 1889,[41] and by 1891, eight other states had enacted similar legislation. Reformers believed this type of sentencing was highly motivational to inmates to prove they had achieved remorse, built character, and were prepared to reenter society. Head Teachers saw it as a deterrent to the inmates who feared losing commutation time after parole.[42] Mrs. Helen P. Stone, Head Teacher at Auburn women's prison, wrote, "The indeterminate sentence is an incentive to make the prisoner better himself as soon as possible in the hope that a good record may gain for him an earlier release."[43]

The reformation process as described in the Declaration of Principles should include a stage based on a mark system of advancement from class to class. The school work at New York State prisons beginning in 1905 was divided into twelve sections, or standards, that when completed together represented a grammar school education.[44] Each standard was a set of lessons, and the standards built upon each other. Inmates could not move up in standard without passing a test or demonstrating their knowledge successfully. Each standard took approximately four months to complete, so a typical prisoner could complete all courses in four years. Completing these school standards helped prisoners advance through the stages of progressive classification towards release.

Prisoners could earn additional benefits and freedoms through good conduct. They could be put on an honor system that relied on lighter surveillance, and Great Meadow was opened in 1912 as a farm colony with an honor system. This was a monumental addition to the prison system that reflected most prison reform ideas. When asked about the reformative value in the

[41] 1889 N.Y. Laws, Chapter 382, Section 74.
[42] Hill, "Schools for Adults in Prisons," 11.
[43] Ibid.
[44] Please see Appendix B for the full set of standards.

honor system, Earl P. Murray, Head Teacher at Great Meadow Prison, wrote, "Any measures of reform wherein confidence is reposed in the men seldom fails to awaken a favorable response."[45] John B. Brunson, Head Teacher of Clinton Prison, wrote, "In order that a man may again take his proper place in society he must be brought to rely upon his own honor, and the sense of honor can best be developed by the establishment of a more or less complete honor system in the prison."[46]

Finally, after earning release, prisoners could leave on parole. Parole was another invention of the Progressive Era, first instituted at Sing Sing in 1901. Parole was viewed by Head Teachers as having reformative value and a saving effect, support for "weak character," a way to check one's own conduct, and enables him to make good more easily.[47] Men on parole obtained the privilege of parole through good conduct, their industry, and the attainment of a certain degree of scholarship.[48]

The New York Prison Association acted as one of the principal parole agents for the four state prisons—Sing Sing, Auburn, Clinton, and Great Meadow. In collaboration with the Parole Board of each prison, the Association took men who had no family or support upon release.[49] In its annual report of 1912, the Prison Association highlighted a number of successful parolees and the employment obtained with the help of the Association. The Association actively advocated for money to be spent on parolees as well as care of prisoners while in prison. Providing for families of those incarcerated was also a primary goal, particularly the wives, children, and immediate relatives who no longer had a breadwinner in the family to bring in income.

[45] Hill, "Schools for Adults in Prisons," 11.
[46] Ibid.
[47] Ibid., 12.
[48] Prison Association of New York Annual Report 1912, 17.
[49] Ibid., 19.

Inmate Statistics

Information about inmate numbers, nationality, and country of origin has been gathered from a variety of sources. Historical Corrections Statistics gather information from the national census, annual reports, prison school enrollment numbers, and inmate case files. Census taker F. H. Wines, son of reformer Enoch Cobb Wines and secretary of the National Prison Association, commented in 1880 that the rise in prison and jail population between 1850 and 1880 had been accompanied by a corresponding decrease in those present in almshouses, meaning of course that poor people had been disproportionately incarcerated.[50] The prison population rate rose from 29 per 100,000 people in 1850 to 78 per 100,000 in 1910. In 1870, the first information was obtained on the race of prisoners. A major problem with these collections was the absence of a clear definition of terms such as "conviction," "criminal," and "prisons." In 1880 and 1890, prison statistical reports were done under the direction of F. H. Wines.[51] Statistics did not include information on the movement, parole, or release of prisoners, but only took account of those present on the day of the survey.[52]

In 1880, the census report included statistics on residents of almshouses, mental institutions, state and local prisons, penitentiaries, reformatories, workhouses, and jails. Classification information such as age, sex, and marital status started to be collected in the 1890s, but detailed record keeping did not go into full effect until 1900. Between 1890 and 1900, an act was passed by Congress creating a permanent Bureau of the Census. Prison reports were completed after those of other government agencies, so in many cases, prison officials served as

[50] Margaret Werner Cahalan, *Historical Corrections Statistics in the United States, 1850-1984* (U.S. Department of Justice, Bureau of Justice Statistics, 1986), iv.

[51] E. C. Wines, *The State of Prisons and of Child-Saving Institutions in the Civilized World* (Cambridge: University Press, John Wilson & Son, 1880).

[52] Cahalan, *Historical Corrections Statistics in the United States, 1850-1984*, 2.

enumerators for the census year. Reports of the commissioner or superintendent represented the prison census, which is to say, data collection was not fully formalized or regulated.

Penologists and prison reformers held many beliefs about immigrants and tendencies towards criminality. A considerable focus of the analysis was the question of which countries were responsible for the most and differing types of criminality, as measured by the number of immigrants from that country committed to prison.[53] In 1900, 66% of the foreign-born population in the United States lived in cities of 2,500 or more, and 38% lived in cities of 100,000 or more.[54] Theories about immigrants, therefore, were largely embedded in theories of the functioning of the urban landscape. One such theory was "social disorganization theory," developed at the University of Chicago, which described how life in urban America weakened social bonds. Social disorganization theory was applied to delinquency, with the argument that immigrant assimilation was integrally related to urban life.[55] Others theorized that the process of immigration had a direct connection to criminality. One important example of this was the emphasis on the " culture conflict" faced by immigrants as they adjusted to a new set of behavioral norms, a conflict that might lead to greater criminal activity.[56] Furthermore, some argued that immigration might lead to greater crime even if immigrants themselves did not have higher criminal propensity. At the aggregate level, it was thought possible that immigration would increase the criminal activity of the native-born population by displacing natives from work.[57]

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[53] Ibid.

[54] Ibid.

[55] R. J. Bursik, "Rethinking the Chicago School of Criminology: A New Era of Immigration," in *Immigration and Crime*, R. Martinez, Jr. and A. Valenzuela, Jr., eds. (New York: New York University Press, 2006), 20-35; C. R. Shaw, *Juvenile Delinquency and Urban Areas* (Chicago: University of Chicago Press, 1942).

[56] Thorsten Sellin, "Historical Glimpses of Training for Prison Service," *Journal of Criminal Law and Criminology* 25, no. 4 (November-December 1934): 594-600.

[57] Carolyn Moehling and Anne Morrison Piehl, "Immigration, Crime, and Incarceration in Early Twentieth-Century America," *Demography* 46, no. 4 (November 2009): 739-63.

Prison school priority was given to immigrants without knowledge of the English language. Reformers did not want inmates to return to society without a working knowledge of English. The largest immigrant population in New York prisons during the Progressive Period were Italian immigrants. By 1916, 700 inmates at Sing Sing prison were enrolled in the prison school out of 1,446 total inmates. Of that total number of inmates, 49 percent were Italian.[58] After Italians, Russian immigrants were the largest group, then Germans, Austrians, Englishmen, Scotchmen, Irishmen, and a smattering of Canadian, French, Norwegian, Swedish, Chinese, Romanian, and Turkish. Of those born in America, 103 at Sing Sing were Black.[59] In terms of religion, 798 were Catholic, 402 Protestant, and 222 Hebrew.

Conclusion

The distinction between reformable and not reformable was made in a variety of ways through a detailed and extensive prison classification systems, informed by decades of studies conducted in Europe and the United States and devised and elaborated upon during the Progressive Era. In many ways, the case history system of classification of inmates, as backed by the scientific community, was an anti-educational force that prevented many prisoners from obtaining an education. However, the progressive classification system, as proposed in the Declaration of Principles, outlined a process by which inmates could advance through classes and earn privilege and promotion. The indeterminate sentence, honor system, and parole system played significant roles in this system. In addition, the school standards at New York State prison schools made strides towards fulfilling the vision of reformers. The next chapter further explores the role of prison teachers and leaders in conducting the prison school experiment.

[58] J. R. Crowley, "Sing Sing Prison School," Appendix II in A. C. Hill, "Prison Schools," 34.
[59] *Star of Hope*, October 1916, 16.

Chapter 4

PRISON SCHOOL STAKEHOLDERS IN NEW YORK

Introduction

Teachers in New York State prison schools filled an important role in the new vision for prisoner rehabilitation. Teachers prepared and taught lessons, graded tests, met individually with students for "office hours," evaluated inmates, and determined if and when prisoners were ready to move to the next standard of the curriculum, thus moving inmates through the stages of rehabilitation, as discussed in the previous chapter. The indeterminate sentence was a new innovation of the Progressive Era, and inmate performance in academic classes and on tests determined to a large extent when his release would be. The role of the prison school was to create an atmosphere in the prison that was favorable to reformation.[1] Head teachers were responsible for creating that atmosphere. The school must be a special school for character rather than economic efficiency. By creating this atmosphere, prison teachers would be supporting the vision set out in the Declaration of Principles to make the prison "one great school" by inspiring self-respect, supporting pride of character, and exciting higher aims.[2]

In this chapter, I examine the laws that defined the scope and shape of prison schools and their administration, and the roles and backgrounds of the prison school teachers and select prison administrators and reformers who helped to shape the course of prison education reform and the character of the prison school. In addition, I explore the role of the inmate teacher. I examine the training of teachers and look at the thoughts expressed through the writings and

[1] Hill, "Schools for Adults in Prisons," 6-7.
[2] Wines, *Transactions of the National Congress on Penitentiary and Reformatory Discipline*, 552.

reports of Head Teachers. These give us a better understanding of who taught in prison schools, how they shaped the educational experience of inmates, and how they felt about their roles.

Laws Regarding General Education of Prisoners and Their Teachers

Various laws were put in place during the Progressive Period for the establishment and management of the prison schools. Prior to this, few laws dealt specifically with education. The first law in New York that addressed the secular education of inmates was passed in 1847. The law provided for the appointment of two instructors by the board of inspectors at each of the three New York State prisons at the time, Sing Sing, Auburn, and Clinton. It was to be their duty "in conjunction and under the supervision of the chaplain" to give instruction to inmates in English. Instruction was to take place for one and a half hours each day, except Sunday, between the hours of six and nine in the evening. Reports on the work of inmates were to be made by the chaplain.[3] Laws varied from state to state, and some laws were fairly vague.[4] The majority of laws outlined the punishment of convicts as property of the state, sentencing, working off fines, or awaiting capital punishment, how punishment may be administered either through hard labor, solitary confinement, reduction of food, cruel and unusual punishments including the gag and iron mask, and corporal punishments such as showering with cold water, stocks or yokes.[5] However, many laws also governed how prisoners were to be cared for, including laws regarding housing, food, clothing, as well as provisions for health and medical treatment, religious

[3] Thom Gehring, "Characteristics of Correctional Instruction, 1789-1875," *Journal of Correctional Education* 46, no. 2 (June 1995) 56.

[4] Ernest Stagg Whitin, Professor of Social Legislation at Columbia University, published *The Caged Man* in 1913 as a summary of then-existing legislation in the United States on the treatment of prisoners. The purpose of his review was to highlight the inhumane treatment of criminal offenders and the laws that remained which allowed for cruel and unusual punishments. Further reference here to laws of the states primarily comes from this summary review. While the review highlights the worst laws concerning incarceration, the review also brings to light those laws governing the care of inmates from housing, food, and clothes to medical treatment, religious provisions, and education.

[5] Whitin, *The Caged Man*, 3-46.

provisions, educational provisions such as prison schools, prison libraries, and industrial education, special indulgences for good conduct, and wage rewards for good behavior.[6]

As of 1913, seventeen states had laws in place regarding the general education of prisoners, and eight of those specified who was to be in charge of instruction. In all but one of those, the Chaplain was given charge over the schooling of inmates. In Illinois, for example, the Chaplain was to "give instruction in such English branches as warden feels will be of benefit, between 6 and 9 P.M. daily."[7] In Kentucky, convicts were "to be trained in common branches of English and in some trade, industry or handicraft; common schools and trade schools to be maintained for the purpose."[8] In New Jersey, the laws stated that a "Board of inspectors equip school and have control and supervision thereof, to appoint teachers who must have a certificate prescribed by State Board of Education, and must not be inmates of the prison. Studies to be the same as those in public schools."[9] In New York, the law stated that school only be "under supervision of the chaplain."[10] The law in New York did not specify who would teach in the prison school, and what, when, or how prison schooling was to take place. This allowed for some freedom for administrators and the Chaplain. For example, in New York State prison school, instruction started as evening instruction only, similar to the Illinois law. However, after urging from Head Teachers, instruction was moved from the evening hours to daytime hours so as to better engage inmates to be more productive with instructional time. Prison school teachers held firm to the necessity that good light and a fresh mind after rest were essential to learning.[11]

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[6] Ibid., 47-91.
[7] R. S. 1909, Page 1670, Sec. 23, cited in Whitin, 89.
[8] Laws of 1910, C. 15, cited in Whitin, 89.
[9] R. S. 1910, page 4927, Secs. 69-76, cited in Whitin, 90.
[10] R. S. 1909, C. 47, Sec 139, cited in Whitin, 90.
[11] Hill, "Schools for Adults in Prisons," 14.

Prison Reformers

Some of the most influential prison reformers of this period were those in prominent positions where their voices could be heard. This community was a small and tight-knit circle; the individuals profiled here knew each other, attended conferences together, reviewed each other's books and articles, and sought insight from each other's work. I highlight several figures who played prominent roles in establishing prison schools, supporting their maintenance, and pursuing methods of reform that would bring New York State prisons closer to the vision set out by the Declaration of Principles.

Cornelius V. Collins, Superintendent of State Prisons, founded the prison schools in 1905. "What some prison experts call the greatest ever introduced in the administration of American prisons is his establishment of schools in Auburn, Sing Sing, and Clinton prisons," wrote a journalist for *Leslie's Illustrated Weekly Newspaper* in 1908.[12] Previously, Collins had adopted and established a system of parole in 1901, the achievement for which he is most acknowledged.[13] It was reported that 83 out of every 100 men released on parole from Sing Sing, Auburn, and Clinton prisons "made good" upon their release by gaining employment and finding a proper place to live.[14] Collins had served as a senior partner of the law firm Collins, Merrill & Co., and then as Police Commissioner of Troy from 1888-1890. In 1894, he was elected Sheriff of Rensselaer County.[15] Collins became the President of the National Prison Association and took great responsibility in moving reform forward.

[12] "New York State Convicts at School," *Leslie's Weekly*, January 2, 1908, 14.
[13] "New York's State Prisons," *The New York Times*, January 12, 1903, 6.
[14] "New York State Board of Parole," *Journal of the American Institute of Criminal Law and Criminology* 2, no. 5 (January 1912), 791-92.
[15] "Superintendent of Prisons," *The New York Times*, March 3, 1898, 3.

It is nearly impossible to address prison reform or the work of prison school teachers without first examining the life and work of Thomas Mott Osborne. He is one of the most prominent—if not the most prominent—prison reformers of Progressive Era, and he was beloved by the inmates at Sing Sing and members of the Mutual Welfare League, a self-governing inmate organization that Osborne founded at Sing Sing Prison under his wardenship in 1915.[16] Osborne was a wealthy and influential upstate New York businessman and politician before he became a prison reformer. He served as the mayor of the town of Auburn and made several unsuccessful runs for governor. He was appointed warden of Sing Sing Prison in 1914 where he served until 1916 amid upheaval and controversy. Yet, his reforms at Sing Sing are regularly cited as a high point for humane prison reform during the Progressive Era. The Osborne Association was founded in 1933 to continue his legacy after his death and remains a prominent organization in the field of social justice today, connecting those affected by the criminal justice system with resources and opportunities.

Osborne came from a family of Quaker abolitionists and reformers, including his grandmother Martha Coffin Wright and her sister Lucretia Coffin Mott who helped write the Declaration of Sentiments at the Seneca Falls Convention in 1848. Martha's home in Auburn was part of the Underground Railroad where she housed fugitive slaves. Osborne was a Harvard graduate in the class of 1884, and he worked as part of his father's manufacturing business until 1903. In 1896, he became acquainted with the George Junior Republic at Freeville, NY, a juvenile institution founded by William R. George. He served on the Board of Governors for the Junior Republic for over fifteen years as president of its board of trustees. In 1904, Osborne

[16] Biographies of Osborne include: Rudolph W. Chamberlain, *There Is No Truce: A Life of Thomas Mott Osborne* (New York: The Macmillan Company, 1935); and Frank Tannenbaum, *Osborne of Sing Sing* (Chapel Hill: The University of North Carolina Press, 1933).

spoke for the first time before the American Prison Association on "The True Foundation for Prison Reform" where he quoted, "It is liberty alone that fits men for liberty."[17]

His involvement with the Junior Republic was the catalyst for Osborne's tremendous interest in prison reform. He was intrigued by George's success in creating a self-governing community based on the principles of democracy and the U.S. Constitution. George was praised by Ernest Stagg Whitin, Professor at Columbia University, for developing the idea of self-expression and labor as the basis for the honor system, and the productive education ideal as the basis for the reformation plan for contemporary penal institutions in his review of George's book, *Citizen Made and Remade*.[18] Osborne believed that these same principles should be the basis for an enlightened prison system based on reform. Osborne believed it was "folly to keep criminals locked up for years at society's expense, and turn them out as bad as they came in—or worse."[19]

His friendship with George, and the many graduates of the Junior Republic, proved to Osborne that comprehensive prison reform was not only possible but necessary. Over the next decade, Osborne gradually developed his own model for a program of prison administration. It was a model which rejected the widely held belief that convicted criminals are somehow different from other men and women. Osborne believed that prisoners possessed all of the same qualities and aspirations seen in the rest of society. He was confident that given the right circumstances, even hardened criminals could learn to channel their desires into acceptable modes of behavior. His approach had a simple, pragmatic logic: If prisoners were to be taught the skills of good citizenship, they must be allowed to practice them. Therefore, Osborne wanted

[17] "Thomas Mott Osborne," *Social Service Review* 1, no. 1 (March 1927): 146.

[18] Ernest Stagg Whitin, Book Review, *Citizens Made and Remade*, *The Annals of the American Academy of Political and Social Science* 47, County Government (May 1913): 299.

[19] Arbenz, Book Review: Tannenbaum's *Osborne of Sing Sing* (1995), 59.

to turn the whole prison into a school. During the next seven years, Osborne was able to build his vision of a humane and purposeful prison at several institutions, including Auburn and Sing Sing prisons and the U.S. naval prison at Portsmouth.[20]

In addition to this work, Osborne held the Dodge Lectureship at Yale on the subject of society and prisons. His lectures were later published in the series "Yale Lectures on the Responsibilities of Citizenship."[21] Osborne's political involvements and activities may have been a decisive force in his prison reform efforts, but it is unclear if politics affected the formation of prison schools.[22] Politics cost him the nomination for the 1906 Democratic nomination for governor because he lacked the backing of Tammany Hall. Osborne attempted to run again, but in 1907, he was selected to serve as the upstate commissioner on the state's first New York Public Service Commission. After several years of maneuvering the New York political machine, he finally convinced the new governor, William Sultzer, to allow him to institute a system of self-government at Auburn prison. The warden at Auburn approved Osborne entering the prison to start the Mutual Welfare League based on a similar system at the George Junior Republic.[23]

The drama of New York politics was the backdrop to Osborne staging an undercover week at Auburn prison, living as an inmate, and writing a book about the experience, *Within Prison Walls*. As commissioner, Osborne felt it was necessary to inform himself "to the utmost as to the inner conditions of the prisons and the needs of the inmates."[24] He felt it was desirable to understand the actual effect the prison system as a whole had upon the prisoners. Thus,

[20] Arbenz, 45.
[21] Osborne, *Society and Prisons*, 1916.
[22] Davidson. "Political Processes in Prison Education," 133.
[23] Ibid., 136.
[24] Osborne, *Within Prison Walls*, 5.

Osborne spent a week as "Thomas Brown" in Auburn prison. He understood that it would be a mistake to pretend to be someone else for fear that inmates would call him a spy, so he told inmates his true identity prior to his stay. While at Auburn, Osborne interviewed inmates and planted the seed for the creation of the Mutual Welfare League.

As Warden of Sing Sing from 1914-1916, Osborne made some of the most radical changes to the prison yet. He was so popular among the Sing Sing inmates that on the first anniversary of his wardenship, the inmates declared "Tom Brown Day" in celebration of his stunt at Auburn.[25] He was succeeded by George W. Kirchwey, former Dean of Columbia Law School, who praised Osborne for his methods and sharing the opinion that a more humane and rational system of rehabilitation should replace the brutal system of the past.[26]

Osborne is best known for creating the Mutual Welfare League at Sing Sing. Inspired by the Junior Republic, Mutual Welfare Leagues were established in prisons throughout the northeastern states during the Progressive Period as a form of self-government among inmates.[27] The goal was to give inmates practical experience in electing representatives who legislated and enforced prison rules, and the process became an effective form of citizenship education. Osborne took an interest in self-government schemes used in schools, reformatories, and factories as a form of management and citizenship education.[28]

Osborne was persuasive and persistent. He gained the trust of labor unions in transforming the workshops of Sing Sing while he was warden to become efficient industries. The labor delegation in 1915 included Collis Lovely, the vice president of the boot and shoe

[25] "Warden Osborne Honored, *The New York Times,* December 5, 1915, 21.
[26] "Kirchwey Lauds Osborne," *The New York Times*, August 8, 1915, 16.
[27] Davidson, "An Alternative View of the Past," 169-74.
[28] Ibid.; also, Davidson, "Political Processes in Prison Education: A History," *Journal of Correctional Education* 47, no. 3 (September 1996): 133-37.

workers; Thomas Manning, representative of the garment workers; and Hugh Franey, the New York representative of the American Federation of Labor. The labor representatives proposed sending union men to the prison shops to make the prison industries more efficient, and to establish an apprenticeship system that would train the prisoners for work at trades when they were released. While the unions all opposed the old contract labor system, they were all in favor of helping the state-use system become more effective.[29] After the long and drawn-out disputes over prison labor competing with free labor, it was a monumental achievement that Osborne gained the trust and support of labor unions to strengthen and build out prison workshops.

Yet, Osborne was a highly controversial figure in prison reform, drawing fierce criticism from wardens of other prisons. General Brice P. Disque, warden of Michigan State Prison, had this to say:

> You don't often hear of reformers spreading their impractical ideas to the coddling of inmates of insane asylums. Why they misdirect their energies into prisons, I do not know. Unless it is that their vanity is gratified by the smooth talk and salve given them by the clever crook.… No honest, self-respecting man would accept much of the silly treatment our reformers try to hand to the inmates of prisons.[30]

Moreover, although Lewis E. Lawes, warden of Sing Sing from 1920-1941, was a critic of some of Osborne's methods, he continued Osborne's work at Sing Sing and went above and beyond the reforms he put in place. Lawes was a strong believer in rehabilitation as a function of the penal system, and his reforms extended to encompass the care and maintenance of an aviary and a greenhouse, a near-professional-level football team, and a Sunday night lecture series that

[29] "Labor Men to Aid Osborne," *Journal of the American Institute of Criminal Law and Criminology* 6, no. 1 (May 1915), 136.

[30] Lewis Lawes Papers, Box 5, Folder 24, "Crime Conferences," Address of General Brice P. Disque delivered before Merchants Association of NYC.

featured prominent personalities from the arts, sports, and religion. Sing Sing was regularly recognized as a model for the changes needed in other prisons.[31]

Another influential figure of this period was sociologist Ernest Stagg Whitin. While not a reformer per se, Whitin's research informed the work of Osborne and others. A professor of social legislation at Columbia from 1903-1918, Whitin was also the Chairman of the executive council National Committee on Prisons and Prison Labor since 1908. He inaugurated the first Chair of Penology at Columbia University, much to the excitement of the prisoners at Sing Sing. One Sing Sing inmate wrote:

> It is well to call attention to a recent notable example set by a great university in inaugurating a Chair of Penology. We refer to the action of Columbia University which did so, under the charge of Dr. Stagg Whitin, and it is to be hoped this will be followed by every university and college in the land. Such a study will attract the most earnest class of students and it is impossible to estimate the amount of good that will result from members of the young hopefuls of the nation, fired with enthusiasm for a great cause, going forth to battle with the many headed monster.[32]

Whitin's research on prison legislation and labor helped shaped the arguments that would dominate the Progressive Era prison reform movement.[33] His position, that "Cruelty lies equally in the failure to provide these opportunities for reform as in the over-development of prohibitory measures," sums up the views of many contemporary penologists.

In 1931, Whitin was appointed to the National Advisory Committee on institutional industries, which was designed to further assist prison authorities in the reorganization and development of prison industries. State officials sought to develop adequate systems of employment for prisons and prisoners. At that time, Whitin was the President of Associates for

[31] Lewis Lawes Papers, Box 4, Scrapbook Correspondence (1925-1932), Letter from Governor of Illinois, Sing Sing a model for changes needed in IL.

[32] Sing Sing No. 64846, "Awakening the Public Conscience," *Star of Hope*, May 1916, 5-6.

[33] Whitin, *The Caged Man*; Whitin, *Penal Servitude*; and Whitin, *Prison Labor* (New York: Academy of Political Science, 1912).

Government Service, Inc.[34] He was an integral member of the National Committee on Prisons and Prison Labor in the 1930s in the design and construction of new prisons.[35] Whitin was also interested in self-supporting prisons and organizing prisons in such a way so that every prisoner who was capable of working shall pay for his own maintenance and the other costs associated with his incarceration. He therefore advocated for the prison wage system whereby prisoners were paid for their labor or, rather, credited for the cost of prison upkeep. This was a popular topic at the time as taxpayers did not want to be responsible for the costs of prison maintenance.[36] He also supported the growth of prison industry as a state system so that prisoner labor would be productive labor and lead to economic gain.

As a researcher, Whitin is credited with discovering and uncovering gross abuse and inefficiencies in prison administration, and for calling prison labor "the last surviving vestige of the old slave system" in his book *Penal Servitude*. Whitin advocated that it was the duty of the state to provide labor for all convicts, labor which will not compete with free labor, and a system which is best adapted to educational training of young men for industries to which they are best fitted by nature and habit.[37] The industrial training given to the criminal should be that which will provide a livelihood for the prisoner in his own locality upon release. This program met the requirements of education by enlisting the interest and hope of the prisoner and enabling him to work to some attainable end.[38]

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[34] Newman F. Baker, ed., "New Committee on Prison Industries," *Journal of Criminal Law and Criminology* 22, no. 5 (January 1932), 754-55.

[35] *Journal of Criminal Law and Criminology* 22, no. 4 (November 1931), 609.

[36] E. Stagg Whitin, "Self-supporting Prisons," *Journal of the American Institute of Criminal Law and Criminology* 15, no. 2 (August 1924), 324.

[37] Charles R. Henderson, "Book Review, Penal Servitude," *American Journal of Sociology* 18, no. 1 (July 1912), 120-21.

[38] Winthrop D. Lane, "Book Review, *Penal Servitude*," *The American Economic Review* 2, no. 4 (December 1912), 932-35.

Prison School Teachers

When prison schools opened in 1905 in New York State, a civilian Head Teacher was put in charge of the prison school, including the management of inmate teachers. It was not evident by 1913 when A. C. Hill reported on prison schools in the United States that many other states had civilian Head Teachers in place.[39] Most of the New York prison schools welcomed visiting instructors as well. Among them included the Chaplain and Physician; representatives from state agencies, the Education Department, and State Prison Commission; and teachers from Elmira Reformatory as well as outside schools.[40] Physicians visited to give guest lectures on hygiene, cleanliness, and disease.[41]

Little has been written about prison school teachers during the Progressive Era, who they were, where they came from, and what type of education and training they received.[42] Several historians have noted that teachers were likely untrained and unqualified to teach, but this was not the case in New York State prisons. We can identify several individuals from annual reports and published primary documents such as conference proceedings, bulletins, and newspaper articles to piece together some background information on these individuals.

In New York State, prison schools were under the supervision of the Chaplain, according to the law.[43] The Chaplain was often the Head Teacher in prisons in the later half of the nineteenth century, but by 1905, a Head Teacher was in place at each state prison. As the first formalized education program was the learning and reading of the Bible, the Chaplain was in a position to organize and formalize the education program plan. The prison Chaplain's role in

[39] Hill, "Prison Schools," 17.
[40] "School Heads Hold the Autumn Conference," *Star-Bulletin*, December 1917, 30.
[41] Ibid., 32.
[42] Larry E. Sullivan, *The Prison Reform Movement: Forlorn Hope* (Boston: Twayne Publishers, 1990); and Rothman, *Conscience and Convenience*.
[43] R. S. 1909, C. 47, Sec. 139.

New York was to "attend to spiritual wants of prisoners."[44] Through most of the nineteenth century, the teacher was a part-time volunteer Chaplain who could come to the institution only at night, after his regular Sunday duties to his outside congregation(s) were fulfilled.[45] Bibles were the only books authorized by wardens and supplied to libraries, and they were used to teach spelling, grammar, history, and geography in addition to moral instruction.[46] Chaplains offered instruction individually to inmates within their cells. Instruction may have taken place in chapels or areas for meetings for worship.

Sabbath school instruction was called "moral education," designed so that inmates could leave prison better prepared to be useful citizens. In 1830, Bibles were distributed to all Auburn prisoners, and most of them read no other book. Reading instruction programs were based upon reading and recitation of the Bible. In most institutions, Chaplains were required to instruct through the grating of the cell doors to all those individuals who were unable to read. That number was so high that the Clinton Chaplain "estimated that if the teacher lost no time on his rounds, seven minutes a week could be devoted to each pupil."[47] In 1830, the Sing Sing warden allowed no texts besides the Bible and claimed the schooling was ineffectual. Those who engaged in it as teachers became less interested as the novelty wore away, and classes of men were often brought out without any teacher present to instruction them.[48]

Many teachers overcame the obstacles of lack of support from administrators, lack of resources, poor facilities, and lack of logistical support because correctional education was important business.[49] The staff of the Boston Prison Discipline Society observed that prisons

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[44] R. S. 1909, C. 47, Sec. 292.
[45] Thom Gehring, "Characteristics of Correctional Instruction, 1789-1875," 52.
[46] Wallack, 3.
[47] P. Chenault, "Inmate Education in the Department of Corrections of New York State, 1847-1949," *Corrections Magazine* (1951): 7.
[48] Ibid., 3-4.
[49] Rothman, *Conscience and Convenience*, 135-37.

without schools had higher annual death rates than those with schools. It was acknowledged that in closed communities of confinement, there was a real benefit to having outsiders come to teach Sabbath school or volunteer their time. These teachers were in communication with outside organizations and churches, and they helped keep prison staff honest and discouraged outright brutality.[50] Teachers struggled in most schools to improve the learning conditions for their pupils. Auburn prison Chaplain Jared Curtis mobilized the "cheerful cooperation" of the officers in his work.[51]

In 1847, New York State authorized two teachers for each institution as a distinct class of prison officer. New York State was the first state to create an office of prison teachers. The salaries were a small sum of $150 per year, and appointees held office by political favor.[52] Some historians claimed that prison teacher salaries were very low and not comparable with the private sector work that there was little expectation for excellence, intellectual curiosity, or leadership ability for such low wages. However, by the Progressive Period, we find we different salary information in prison banking and accounting ledgers. These are also helpful sources that tell us how much was allocated for school supplies, books, and teacher salaries. In 1905, all Head Teachers at New York State Prisons (Sing Sing, Auburn, and Clinton) were paid $1,200 annually.[53] In 1912, the salary of these Head Teachers was $1,500 annually. By contrast, the Assistant Physician was paid $1,500, the Warden was paid $6,000.[54] By comparison, a teacher in New York City was paid $975.13 annually in 1914-1915.[55] A professor at New York State

[50] Gehring, "Characteristics of Correctional Education, 1789-1875," 55.
[51] Ibid., 56.
[52] Phillip Klein, *Prison Methods in New York State, A Contribution to the Study of the Theory and Practice of Correctional Institutions in New York State* (New York: Columbia University, 1920), 312.
[53] *Twenty-third Annual Report of the State Civil Service Commission, Documents of the Assembly of the State of New York, One Hundred and Twenty-Ninth Session, 1906*, 7, no. 45-46 (Albany: Brandow Printing Company, 1906), 148.
[54] *Annual Report of the Comptroller of the State of New York* (Albany: J. B. Lyon Company, 1913).
[55] *Teachers' Salaries and Cost of Living* (Washington: The National Education Association, 1918), 49.

Normal College was paid between $1,200 and $2,600 annually in 1913.[56] Head Teachers in New York State prisons were paid a competitive wage, and it is incorrect to assume that low-skilled individuals were the only people the position could attract. In New York State, Head Teachers were competent civilian appointees, chosen as a result of the civil service examination.[57] This effectively eliminated the worst aspect of the political spoils system by ensuring the placement of qualified individuals. A prison schools inspector was appointed to the Education Department after a civil service examination, and Dr. Albert C. Hill was that Inspector for the time period 1905-1920.

Many historians have also commented on the lack of experience and training of prison teachers, but this also was not true in New York State Prison Schools. The Head Teachers at these schools were highly educated, career professionals who occupied important positions before and after their time as prison school teachers. Teachers rotated around to the different prisons, each teacher working for a few years at each prison before moving on to other opportunities. They attended conferences and workshops together, presented their work together, engaged in professional development and thoughtful review of their successes and failures, and cared deeply about their teaching practice. "The head teachers give all their time and energy to the work, and it is never done," wrote A. C. Hill, who produced the most comprehensive evaluation of prison schools during the period.[58] Head Teachers were considered officers of the prison along with the Warden, Principal Keeper, Physician, and Chaplain. Head Teachers were responsible for the selection of inmate teachers and their training. They outlined the daily work, supervised teaching, directed reading, and gave class instruction. They also held a version of

[56] United States Bureau of Education, *Bulletin* (Washington: U.S. Government Printing Office, 1890-1929), 12.

[57] *Preliminary Report of the Commission on Prison Reform of the State of New York*, 48.

[58] Hill, "Prison Schools," 28.

"office hours," conferring with men outside of class and giving advice regarding personal matters.[59]

The first teachers were placed at the three New York State prisons—Sing Sing, Clinton, and Auburn—in 1905 for a contracted term of three years. At Sing Sing, Philetus M. Helfer, a graduate of Syracuse University, was placed as the Head Teacher at Sing Sing Prison School. Prior to teaching at Sing Sing, Helfer was the principal at Marathon High School in New York from 1902-1905. He taught at Sing Sing from 1905-1907, and then Auburn Prison after 1907. Sing Sing had the most challenging inmate population, receiving more foreign-born inmates from New York City than all of the other prisons combined. Helfer spoke four languages including French, Italian, and German, which he used in his classroom in order to communicate better with his immigrant pupils.[60]

Lee N. Taplin served as Head Teacher at Clinton Prison School from 1905-1907 and at Sing Sing Prison from 1909-1911, and by 1913, he was reporting as the Head Teacher of Auburn Prison where he stayed until 1920. In September of 1921, Taplin began running a new Continuation School in Poughkeepsie.[61] Jay R. Crowley replaced Lee N. Taplin as Head Teacher at Clinton Prison School in 1908 after leaving his position as Principal of Dannamora public schools. He later followed Taplin as Head Teacher at Sing Sing where he stayed until 1918.

Calvin Derrick was the first Head Teacher at Auburn Prison from 1905-1907. He attended the Oneonta Normal School, the State Normal College at Albany, and did special work at Columbia University. Prior to teaching at Auburn Prison School, he was the principal of the Edmeston High School and later Morris High School for fourteen years. He was replaced by

[59] Hill, 28.
[60] "College Men in Sing Sing Form a Faculty," 40.
[61] "Continuation School To Be Opened Today," *Poughkeepsie Eagle-News*, September 10, 1921, 5.

Philetus Helfer from Sing Sing when he left to become the Superintendent of the George Junior Republic, the reform school that has inspired Thomas Mott Osborne to create self-government at Sing Sing. In 1916, Derrick served as the acting warden between Osborne resigning and being replaced by Moyer. Derrick has served in an official position under Osborne as confidential clerk. He left the position once Osborne resigned, and took the position of expert Advisor to Commissioner of Correction Burdette G. Lewis.[62] After that, Derrick moved to California to assume the Superintendency of the Preston School of Industry.[63]

Head Teachers believed in the work that they did, and in their writings showed sympathy with imprisoned men and belief in the system of reformation. Lee Taplin wrote:

> Most criminals are men; rarely is there a monster.… The wealthy Sybarite, who with wine, women, and song sets an alluring example of licentious living to the young men about him, is a far deeper criminal than the passer of counterfeit money, for he injures society far more grievously.[64]

Teachers recognized that there was not one cure-all treatment that would transform a criminal into an honest man, but daily training needed to undo the failures of early schooling and to build new habits. A. C. Hill interviewed prison teachers for the Education Bulletin in 1923, many of whom had been teachers through the years 1905-1920. The interviews provide great insight into the mindset and motivations of these teachers, and how they felt about their own work and role in the lives of inmates. For example, when asked about the role of the prison school idea to the process of reformation, R. H. Tice, Head Teacher of Trenton Prison, wrote:

> The school's business is to put in the thinking of the prisoner matter worth thought and terms in which thought may be expressed, made concrete in the mind of the thinker. These possessions are bound to become evident in the behavior of the man; the prison is a better community; it contains elements of stability and balance. The school is unique in

[62] "Clerks to Warden Quits at Sing Sing," *The New York Times*, December 27, 1916, 18.

[63] Third Biennial Report of the Board of Trustees of the Preston School of Industry (Sacramento: A. J. Johnston, Superintendent State Printing, 1899), 502.

[64] Lee N. Taplin, "The Education of Illiterate Criminals," in A. C. Hill, "Prison Schools," 31.

> this work. It not only reacts upon individuals and the prison community but upon the State.[65]

Head Teacher John B. Bronson of Clinton Prison called for prison schools to be "broad and inclusive," to address the needs of inmates who are foreign-born as well as those several generations removed from foreign parentage, the needs to Americanize and understand the workings of the American government, how to "live without mistaking liberty for license."[66]

Earl P. Murray, Head Teacher at Great Meadow, wanted to make his students more intelligent and better citizens through the reading and understanding of good books: "Reading is of the greatest importance in supplementing and completing the program embodied in the school idea. By reading books the man is brought into intimate relationship with the best minds, thereby widening his interests and enlarging his ambition in life."[67]

Teachers did not always agree. They held different opinions on the role of vocational training. Some viewed vocational training as essential to building a livelihood upon release; others believed knowledge of English and elementary subjects must come first in order to perform a job properly.[68] They also differed on the primary causes of criminality, either economics or moral decay. They disagreed on the importance of Christianity in the process of reformation. Yet, teachers overwhelmingly agreed that the library should be under the direct supervision of the Head Teacher and the school. Reading materials should be planned in coordination with the classroom program and lessons.[69]

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[65] Hill, "Schools for Adults in Prisons," 8.
[66] Ibid., 9.
[67] Ibid., 13.
[68] Ibid., 11.
[69] Ibid., 14.

Inmate Teachers

Under the Head Teacher was a staff of inmate teachers. The most promising of inmates who showed intelligence and responsibility became peer teachers in the prison school classrooms. Order and discipline were maintained by student teachers in the room responsible for smaller groups, and they cost the prison very little.

Philetus M. Helfer, Head Teacher at Sing Sing Prison, recruited the first inmate teachers for the school in 1905. He started by looking at the roster of inmates to identify who had attended college. He approached nine men with college degrees, but they all refused to participate at first. Gradually, they came around to the idea of teaching. One had attended Cambridge, one Oxford, three had graduated from Columbia and one from Cornell, and three others had graduated from small Western colleges. They all had been convicted of forgery, embezzlement, or perjury.[70] These nine men assisted Head Teacher Helfer in developing the first curriculum used at Sing Sing prison school.

There were benefits to being an inmate teacher. Inmate teachers devoted most of their time to the prison schools. They were not employed elsewhere in prison shops or industries. This gave them time to prepare their own lessons for daily teaching. Inmate teachers, or "convict-professors," were allowed to wear the plain garb of the "trusty" and given more freedom than other prisoners.[71] "Many of them do excellent work, become deeply interested in it, and deserve great credit for what they accomplish," wrote A. C. Hill in *Prison Schools*. Many of them spent longer hours than their pupils refreshing themselves on topics not covered since childhood. The Head Teacher at Auburn recognized that inmate teachers had a deeper understanding of their

[70] "College Men in Sing Sing Form a Faculty," 40.
[71] Ibid.

fellow men that civilians did not.[72] By 1922, there were fifteen inmate teachers on the roles at Clinton Prison.[73] While earning a prison wage for working as teachers, inmates enjoyed special privileges and freedoms that helped move them through the stages of rehabilitation and closer to release.

The proper training of prison staff was a key issue for reformers at the 1870 Congress of the National Prison Association. Principle VIII read, "Prison officers, therefore, need a special education for their work; special training schools should be instituted for them; and prison administration should be raised to the dignity of a profession."[74] Standardized training for prison workers, including Head Teachers, was in its infancy during the Progressive Period, and it would not be until the 1920s that this proposal would be fulfilled. There is some evidence of the resistance among the rest of the prison staff to the education staff and at times sabotaging their efforts, and teachers ranked the problem of conflicts with security staff as problematic.[75] While the special training schools needed for prison staff were intended for all staff including keepers and guards, they became essential to prison educators as well.

The first school for prison staff was the Ecole Penitentiaire Superieure established in France in 1892 and was only open for ten years. Japan organized an academy for the study of prison discipline in 1898, which was solidly organized by 1908. The Superintendent of State Prisons in New York called for the creation of a training school for prison officers as early as 1908:

> Under the present system these men come to the institutions without knowledge of the duties they are expected to perform and knowing little of the system that has been devised and is employed for the reformation and education of the prisoners. All this they

[72] Taplin, "The Education of Illiterate Criminals," in A. C. Hill, "Prison Schools," 32.
[73] Table No. 9, Clinton Annual Report, 1922, NY State Archives, BO119-77.
[74] Wines, *Transactions of the National Congress on Penitentiary and Reformatory Discipline*, 551.
[75] Thom Gehring and William R. Muth, "The Correctional Education/Prison Reform Link: Part 1, 1840-1900," *Journal of Correctional Education* 36, no. 4 (December 1985): 140-46.

> have to be taught in the prison by older officers, not all of whom are qualified to instruct, and some of whom are not at heart in sympathy with progressive methods of prison administration.[76]

The system that was already in place was not doing an adequate job of preparing Head Teachers for the prison setting.

The Keepers' Training School of New York City was formally established in 1927 and conducted a course training for officers of the various prisons of New York State. The curriculum of the Keepers Training School was developed by Hastings H. Hart, penologist, consultant in delinquency and penology for the Russell Sage Foundation, and recipient of the 1930 Roosevelt Medal for Distinguished Service for the promotion of social justice. The New York school is often credited as being the first of its kind in the United States. However, there is a history of various other training schools and programs for prison personnel globally.[77] The Keepers School was replicated in other states around the country, and was an important instrument for improving the training of prison staff, thus professionalizing the service.[78] By 1940, courses for staff had expanded to include courses for cooks, clerical personnel, bakers, and shopmen. By the late 1920s and early 1930s, after the establishment of the Keepers Training School, a major conference took place at Teachers College, Columbia University on the topic of training prison staff and prison educators. "We are beginning to realize that the intricate problem of correcting the criminal is worthy of the best thought and the most efficient service—a profession demanding as careful preparation as that of the physician or the psychologist."[79] This

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[76] Annual Report of the Superintendent of State Prisons for the Year Ending September 30, 1910, New York State Prison Department, 1911, 13.

[77] Thorsten Sellin, "Historical Glimpses of Training for Prison Service," *Journal of Criminal Law and Criminology (1931-1951)* 25, no. 4 (November-December, 1934): 594-600.

[78] Paul Keve, *Prisons and the American Conscience: A History of U.S. Federal Corrections* (Carbondale and Edwardsville: Southern Illinois University Press, 1991), 236.

[79] Jesse O. Stutsman, "The Prison Staff," *The Annals of the American Academy of Political and Social Science* 157, no. 1 (1931): 62.

sentiment is emblematic of the turn-of-the-century focus on the science of systems, professionalization of workers, professional training and certification for specific fields, and the growth and development of graduate schools and technical education.

Conclusion

Prison reformers during the Progressive Period were highly influential in building up educational opportunities for inmates. Thomas Mott Osborne exposed to the interested public a view of prisoners not as faceless brutes, but of normal men in need of support. Osborne created the Mutual Welfare League and supported prison schools; his power and influence allowed him to turn ideas into reality. The laws of the state were flexible enough to allow for the evolution of the prison school from a night school to a day school, at the recommendation of Head Teachers. Head Teachers took pride in the work of their students. Teachers in New York State prison schools were more educated, experienced, and well-paid than teachers in other states. Teachers in New York State prison schools filled an important role in the new vision for prisoner rehabilitation and were integral to the successful movement of inmates through the stages of progressive classification. Head Teachers sought to create an atmosphere conducive to learning, inspiring self-respect, supporting pride of character, and exciting higher aims. The next chapter further explores the experience of inmates in prison schools.

Chapter 5

THE STRUCTURE OF NEW YORK STATE PRISON SCHOOLS

Introduction

"No romping crowd of children ever came to their lessons any more eagerly than do the majority of these grown men."[1] That was the view of *The New York Times* reporter who visited "Sing Sing College," as he called it, in 1907. The four large classrooms at Sing Sing were filled with blackboards, desks, globes, charts, "and other paraphernalia ordinarily used in elementary school work."[2] A teacher's desk stood on a raised platform at one end of the room. These artifacts of learning are emblematic of the organizational changes that took place as part of the new penology of the Progressive Period, and it was a far cry from the lone Bible allowed to prisoners in solitary confinement just 25 years prior. Prison schools, which included dedicated classroom space separate from industrial workshops, a library, a civilian Head Teacher, and a 12-standard curriculum, became an official part of New York State prisons in 1905 and moderated by Education Department Inspector Dr. Albert C. Hill. Dr. Hill's education bulletins from 1913 and 1923 provide a great deal of information on the state and development of the schools in New York and reveal some of the changes over time.

The period 1905-1920 was a time of experimentation in prison reform, and the establishment of prison schools was a great experiment.[3] Supported by prison wardens and other officials, staffed by educated and experienced men, and eagerly appreciated by inmates, the prison schools created something new where very little was offered before.

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[1] "College Men in Sing Sing Form a Faculty," 40.
[2] Ibid.
[3] A. C. Hill sums up his views in his 1923 Bulletin reviewing the ten years prior.

Early Prison Education

Evidence of the first prison school in the United States was at the Walnut Street Prison in Philadelphia as early as 1790 after the passage of the law of that year which brought about many prison reforms in Pennsylvania. Desks, books, and writing materials were provided for secular instruction in reading, writing, and arithmetic. In 1801, in New York State, "elementary education was given to 'meritorious convicts' during the winter months by the better educated convicts."[4]

New York State was a leader in innovative programs in penology from the opening of Newgate Prison in 1797 in Greenwich Village, the first State prison. New York established the first juvenile reformatory and the first reformatories for adult males and females. In addition, the State established the most influential state prison for men, Auburn Prison, where a new model of work, solitary confinement, combined with corporal punishment led the way for the nineteenth century penitentiary movement. The penitentiary movement was characterized by solitary confinement, hard labor, and absolute silence. The correctional practices established at those facilities, for better or worse, were replicated in many other states throughout the country.

Until 1846, the State's corrections system was administered by a board of inspectors that in turn appointed wardens for each prison. That year, the State Constitution established a single Board of Prisons to oversee all State prisons in the aftermath of a new law outlawing corporal punishment by whipping or flogging. In 1847, secular instruction in prisons received its legal approval and the "assurance of continuity" in the new law passed that year.[5] What this looked like in practice is vague and difficult to outline. The law provided for the appointment of two

[4] Rex A. Skidmore, "An American Prison School in the Eighteenth Century," *The Journal of Criminal Law, Criminology, and Police Science* 46, no. 2 (July-August 1955), 211-13.

[5] Gehring, "Characteristics of Correctional Instruction," 56.

instructors by the board of inspectors at each of the three New York State prisons at the time, Sing Sing, Auburn, and Clinton. It was to be their duty "in conjunction and under the supervision of the chaplain" to give instruction to inmates in English. Instruction was to take place for one and a half hours each day, except Sunday, between the hours of six and nine in the evening. Reports on the work of inmates were to be made by the Chaplain. Under the new guidelines, instructors visited prisoners in their cells to conduct lessons. The classroom idea had yet to become a reality.

Education and instruction in prisons originated with the Chaplain and Sabbath schools. As Thom Gehring wrote, "If a nineteenth century institution had an education program, it was probably a Sabbath school."[6] The Bible was often the only reading material permitted by wardens, and it was used to teach spelling, grammar, history, and geography, in addition to religious and moral instruction. In the nineteenth century, Chaplains followed Jacotot's Plan, a method of reading instruction and learning letters through repetition of Bible verse.[7] Inmates began by learning the first letter, the letter "I," of the first verse of Genesis, "In the beginning when God created the heavens and the earth."[8] They were then instructed to find all of the letter "I"s in the first sentence, then in the first paragraph, and then the first chapter. They were then taught the second letter in the Bible, "N." They then put the two letters together and learned the first word of the Bible, "In." Inmates were instructed to find all of the occurrences of that word in the first chapter. Through this method of repetition, inmates at Sing Sing were taught to read the Bible after five or six weeks of instruction. Another method was memorization of Bible

[6] Ibid., 52.

[7] Robert Herbert Quick, *International Education Series: Essays on Educational Reformers* (New York: D. Appleton and Company, 1890), 110; Joseph Payne, *Universal Instruction: Epitome Historiae Sacrae* (London: Simpkin and Marshall, 1831).

[8] Genesis 1.1 in Michael D. Coogan, ed., *The New Oxford Annotated Bible Third Edition* (Oxford: Oxford University Press, 2001), 11 Hebrew Bible.

verses. For the first hundred years of corrections in New York, moral and religious instruction was the focus of early prison education programs.[9]

In 1870, the first Congress of the National Prison Association was held in Cincinnati, Ohio, during which a Declaration of Principles was adopted as a set of standards to use as a guide for the more humane treatment and rehabilitation of criminals. The National Prison Association was founded by the Prison Association of New York, established in 1844 by John W. Edmonds, President of the Board of Inspectors at Sing Sing Prison. The Prison Association of New York was formed to alleviate the conditions of people in prison, improve the discipline and administration of local jails and state prisons, and provide assistance and encouragement to people returning to their communities after incarceration. It was the only private organization in the state that had the power to conduct on-site examinations of state correctional facilities and report its findings and recommendations to governmental authorities and the public. During the nineteenth and early twentieth centuries, the organization took a leading role in prison reform in the United States and the world. This began a great period of activism in prison reform and in the development of prison education. The Declaration of Principles outlined the desired changes that would dominate the prison reform movement of the Progressive Period: rehabilitation rather than punishment, classification of criminals, rewards for good behavior and attention to learning, probation, and indeterminate sentences.[10] Principle XI of the Declaration read:

> Education is one of the vital forces in the reformation of fallen men and women, who have generally sinned through some form of ignorance, conjoined with vice. Its tendency is to quicken the intellect, expel old thoughts, give new ideas, supply material for meditation, inspire self-respect, support pride of character, excite to higher aims, open fresh fields of exertion, minister to social and personal improvement, and afford a healthful substitute for low and vicious amusements. Education is, therefore, a matter of primary importance in prisons, and should be carried to the utmost extent, consistent with the other purposes of such institutions. Schools and familiar lectures on common things,

[9] Gehring, "Characteristics of Correctional Education," 53.
[10] Wines, *Transactions of the National Congress on Penitentiary and Reformatory Discipline*, 548.

> with illustrations by maps, globes, drawings, etc., should be instituted; or rather, a prison should be one great school, in which almost everything is made subservient to instruction in some form—moral, intellectual, industrial.[11]

Drawing upon the work of Zebulon Brockway at the Detroit House of Correction and Teacher H. S. Tarbell's paper, "The Prison School," members were presented with evidence of the value of prison schooling.[12] It would be many years before any of the principles outlined would be taken up in earnest, but they served as an optimistic guide for those working in penal institutions.

The Elmira System

The most influential step in prison education in New York State between the 1870 Congress and the abolition of prison labor in 1894 was the founding of Elmira Reformatory in 1876 by Zebulon Brockway. Brockway had been the Superintendent of the House of Correction in Detroit, which had a successful prison school. Innovations in academic and vocational education were the centerpiece of Zebulon Brockway's attempt to perfect what became known as the Elmira system. The Elmira system was used as a model for the state prisons, and although it was intended as an industrial school for juvenile offenders, the reformatory housed men as old as thirty as long as they were first-time offenders. The school combined the fine arts of painting and music with the mechanical arts of carpentry and bricklaying to find an "immediate ground on which the lily fingers of intellect join with the horny hand of labor in bringing forth works, valuable both for use and beauty."[13] Elmira offered twenty-two trades in 1888, twenty-six in 1890, and thirty-six in 1896. Brockway maintained that their "graduates" of the "college on the hill" received instruction comparable to that of the best schools.

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[11] Ibid., 6.

[12] H. S. Tarbell, "The Prison School," in E. C. Wines, ed., *Transactions of the National Congress on Penitentiary and Reformatory Discipline, Held at Cincinnati, Ohio, October 12-18, 1870* (Albany: Weed, Parsons and Company, Printers, 1871), 193-203.

[13] Pisciotta, 23.

Many aspects of the Elmira system were replicated elsewhere. The Inmates' Rule Book set out the responsibilities and opportunities.[14] The School of Letters at Elmira had a head Lecturer as well as an Inspector. The Trades School had its own principal. There was an Instructor of Physical Culture and an Instructor and Assistant Instructor of Military and Discipline.[15] The instructors frequently visited as guest lecturers at the state prison schools to present on their methods and successes. An elaborate military system was put in place in 1888 when Brockway was confronted with the prison labor problem, and so instituted a strict system that included drills, uniforms, and ranks divided into companies, and performed a garrison parade each day complete with military band and wooden guns. The performance and pageantry of the exercises may have been part of the image-making of the time but had lasting effect on neighboring institutions.[16]

The grading system of inmates at Elmira was an important development in prisoner classification. Inmates at Elmira were separated into three groups: First Grade, Second Grade, and Third Grade. After six months in the Second Grade, inmates moved to the First Grade. If an inmate in the Second Grade lost months, he was demoted to the Third Grade and had to earn his way back to the Second Grade. Poor performance in school and poor results on examinations would hold an inmate back from release from the reformatory. After six months in the First Grade, inmates were allowed to leave the institution under certain conditions.[17] After leaving the reformatory, inmates were released on parole for 12-24 months to nearby towns or hometowns and allowed to work. They were required to write letters every month to their parole officer

[14] Inmates' Rule Book, 1920, Elmira Annual Reports, NY State Archives, AO636-78.

[15] Twentieth Year Book of the N.Y.S. Reformatory for the Fiscal Year Ending September 30, 1895, Elmira, N.Y., 1896. Elmira Annual Reports, NY State Archives, AO636-78.

[16] Pisciotta, 23.

[17] Inmates' Rule Book, New York State Reformatory, Elmira, Revised and Rewritten by Fred C. Allen, Secretary, Board of Managers, Elmira Annual Reports, NY State Archives, AO636-78, 4.

telling of their progress. All of these systems and methods developed out of the 1870 Congress of the National Prison Association and served as a model for state prisons in New York State and around the country.

Progressive Era Prison Schools

Once prison labor was abolished in New York and workshops produced only State-use goods, prison schools began to take shape the way reformers had envisioned at the 1870 Congress. It was believed that in order to reform prisoners instead of merely punishing them, prisons needed to instill middle-class Protestant values in the offenders, transform the "dangerous classes" into Christian gentlemen, and prepare them for their proper place in the social, economic, and political order.[18] A. C. Hill wrote, "A real school must be properly organized and equipped for its work. It must have a recognized place in the activities of the prison. Its work must be systematic, continuous, and efficient. Intermittent efforts to help a few individuals do not constitute a school."[19]

In 1905, a plan was devised for the establishment of prison schools in New York State, which were to be placed under the control of the State Board of Education. Here, however, the primary purpose was to banish illiteracy from the prisons. Over time, the prison school became a featured highlight of successful prison management, and the successful work of inmates caused increased funding requests and resources. Physical and separate buildings for academic learning were given priority even over religion; separate facilities for chapel services did not yet exist. The Chaplain's annual report from 1922 referenced the continuing campaign to have a separate facility or chapel constructed for religious services. "Suitable quarters should be provided for the religious services, in order that they may be removed from the atmosphere of entertainment and

[18] Pisciotta, 12-13.
[19] Hill, "Prison Schools," 16.

pleasure prevalent in the general auditorium."[20] By 1913, classes in New York prison schools took place during the day. This greatly contributed to their efficiency and allowed teachers to concentrate on their work, and the men were more alert and interested than they were in the evenings.[21] At Auburn Prison, the school was in continuous operation since the day it opened in September 1905, six days a week for twelve months a year.[22]

Features of Prison School System

The main features of the prison school system included the following: (1) school rooms were provided and equipped for twenty men each. (2) A civilian Head Teacher was in charge of each school. (3) A corps of inmate teachers was selected from the best qualified in scholarship, character, and interest. (4) A curriculum of twelve standards was in place, each requiring from two to four months for completion. (5) Uniformity and cooperation were to be secured by frequent conferences of the Head Teachers and by the advisory oversight of the State Education Department. (6) The schools were to be in session during each week day throughout the year, and each man was in the classroom for a minimum of one hour each day. (7) The school day was divided into four periods, two in the morning and two in the afternoon. (8) The men were removed from their workshops in companies and returned at the end of the period to make room for others. (9) Personal benefit was the only incentive offered for study, and there were no penalties for failure. (10) Extensive use was made of mimeographed lesson sheets so that most of the work was done outside of class. (11) School work was coordinated as far as was practical with the needs of the prison in preparing men for various professional positions such as stenographers and bookkeepers.[23]

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[20] Chaplain's letter, Clinton Annual Report, 1922, NY State Archives, BO119-77, 1.
[21] Hill, "Prison Schools," 29.
[22] Taplin, "The Education of Illiterate Criminals," Appendix in A. C. Hill's "Prison Schools," 31.
[23] Hill, "Prison Schools," 28.

The basic steps and expectations for pupils included: learning to speak, read, and write the English language; utilizing the ability acquired in getting and expressing knowledge of a practical nature; and finally, using knowledge as material for thought and discussion on fundamental questions of government, business, and morals.[24]

The educational experience of prisoners varied greatly from person to person depending on their classification upon entry, their progress through standards while in prison, and their measured aptitude for learning. As discussed in Chapter 3, inmates were evaluated upon entry in each facility that took into account age, race, nation of origin, prior criminal history, highest grade of schooling achieved, and family type among many other things. Recidivists, or repeat offenders, were often considered mentally defective, for only a defective person would commit a second crime after serving jail time. It could be interpreted that only the most promising individuals attended academic classes, although the prison school was open to all inmates and no one was barred from participating. It is unclear whether inmates sentenced to execution were permitted to attend classes. By the 1920s, however, prison school attendance was mandatory in at least one New York prison for inmates that lacked a fifth grade education.[25]

By 1910, the schools had been in operation long enough to demonstrate their value as reformatory agents, and more inmates wished to participate than there was room for.[26] The Annual Report of the Superintendent of State Prisons stated:

> The prison school continues to be the most interesting, important, and beneficial feature of our prison management. A visit to this department during the recitation hours of classes, where may be found old, middle aged and young men, both native and foreign-born, who upon entering prison could neither read nor write,—all being patiently taught the rudiments of education by inmate teachers, under the supervision of the citizen head teacher, will certainly create the impression that surely in this department of the prison, a

[24] Ibid.
[25] Austin MacCormick, *Education of Adult Prisoners*, 41.
[26] Annual Report of the Superintendent of State Prisons for the Year Ending September 30, 1910, New York State Prison Department, 1911, 14.

> wonderful transformation is being wrought in the reasoning powers and impulses of the illiterate class being daily consigned to our prison."[27]

The Warden of Sing Sing, Jesse D. Frost, wrote in 1910 of the demonstrated "wisdom of the establishment of the Prisons Schools," as a result of the work done by the Head Teacher.[28]

Nearly four hundred men were in school in Sing Sing Prison every day of the year in 1911.[29] In 1913, approximately 1,200 men, ranging in age from eighteen to sixty, attended prison schools daily in New York State.[30] By 1922, Clinton Prison School enrolled a total of 864 inmates, 63% of the total inmate population.[31] The majority of inmates were in need of such services, and the prison school made arrangements to be able to serve that number of students. In addition, the school was in session for a total of 276.5 days out of the year. Most students in prison school were twenty to forty years old; 224 students completed the full school course in the year.

Curriculum and Experience in the Classroom

The school work at state prisons was divided into twelve sections, or standards, that when completed together represented a grammar school education.[32] Each standard was a set of lessons, and the standards built upon each other. Inmates could not move up in standard without passing a test or demonstrating their knowledge successfully. From early days when the curriculum was first developed for the Sing Sing Prison School, inmates were involved in their own learning process. Head Teacher Helfer commented that convicts made wise suggestions that

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[27] Ibid., 104.

[28] Annual Report of the Superintendent of State Prisons for the Year Ending September 30, 1910, New York State Prison Department, 1911, 20.

[29] *Journal of the American Institute of Criminal Law and Criminology* 2 (May 1911-March 1912) (Chicago: The American Institute of Criminal Law and Criminology).

[30] Taplin, "The Education of Illiterate Criminals," in A. C. Hill's "Prison Schools," 31.

[31] 16th Annual Report of the Clinton Prison School, Clinton Annual Reports, 1922, NY State Archives, BO119-77, 1.

[32] Please review to Appendix B for the full set of standards.

he took seriously when making improvements to the school program.[33] While inmates with no knowledge of English were compelled to participate, others were given the choice, which they did so with enthusiasm. The 11th and 12th standards were largely designed by the interests of the pupils.[34] This aspect of the curriculum allowed for adults to direct their own learning based on their interests and experience, and showed a level of professional understanding among the prison educators in accommodating adult learners instead of treating them like children. Here we can see some hint of Dewey's view—that individuals are actively striving to explore and master their world rather than passively reacting to it—present in the thinking and planning of prison school teachers and administrators.

This engagement of inmates in participating in the creation of their curriculum had been encouraged by Tarbell since the 1870 Congress of the National Prison Association in Cincinnati. In addition, only those men who were fully engaged in the learning process were able to remain in the classroom. Some inmates were deemed too feeble-minded to handle the work, and other inmates who enrolled simply to avoid their work in the workshops were weeded out quickly.[35] Warden Frost of Sing Sing made it a rule that every man who really needed the school training must participate if he is physically able to do so. The curriculum at Sing Sing, while very basic for those who attended school already, was used as a base for men who did not attend school when they were young, and for immigrants:

> When a prisoner is admitted it is pretty easy to tell whether he has had the advantage of an education or not. If I believe that he has not, I turn him over to the head master of the school and he assigns him to the class to which he belongs. By this process of elimination only those men get into the school who actually need the training, and consequently the majority of them are deeply interested in the work.[36]

[33] "College Men in Sing Sing Form a Faculty," 40.
[34] Ibid.
[35] Ibid.
[36] Ibid.

A good portion of time was spent not only on English, but on civics, history, American cultural norms, and patriotism. Teachers led classes from 7:45 a.m. and continued through 4 p.m. The men attended classes for one hour and fifteen minutes at a time, and classes were staggered so as to allow the men to leave their workshops without leaving them shorthanded or unattended. By the 1920s, practical classes were added to the list of standards including accounting and business administration. "This is a very practical form of education work for the type of men who are confined in the Prison to-day, as it will give some of them an opportunity to familiarize themselves with the details of business and better equip them in mental sense for the fight to re-establish themselves in the world after their term is completed."[37] Career standards included a French track, Bookkeeping, Stenography, and Business Administration.[38] Tests were administered in each subject to graduate students from each standard.[39]

By 1924, the Head Teacher at Clinton Prison, John Brunson, introduced civics classes using textbooks provided by the Federal Bureau of Naturalization to prepare men for citizenship. He described doing a comprehensive study of the Constitution as well as highlighting a Polish inmate who was illiterate in both Polish and English; after several months, the inmate had made it to the third Standard.[40]

In 1928, Clinton Prison began administering Regents Exams, much to the delight of the Head Teacher, Harold E. Davis, as well as the inmates.[41] Out of 147 papers, 114 papers received passing marks—this was about the State average. Seven of the men received passing grades in all subjects and were entitled to receive Regents Preliminary Certificates. The Head Teacher wrote,

[37] "School Department," Clinton Annual Reports, 1922, NY State Archives, BO119-77.
[38] 16th Annual Report of the Clinton Prison School, Clinton Annual Reports, 1922, NY State Archives, BO119-77, Table 5, 2.
[39] Report of the Head Teacher John B. Brunson, Clinton Annual Reports, 1922, BO119-77.
[40] Ibid, 4.
[41] "School Department," Introduction, Clinton Annual Report, 1928, NY State Archives, BO119-77.

"The majority of these men will send their certificate home to show that they are making an earnest effort to rehabilitate themselves while in prison."[42]

Classes were rarely taught in a traditional lecture style. Informal talks based on readings dominated the class time.[43] Debates were favored as a way to engage pupils in close reading and presenting their knowledge while interacting with each other. Debate was used to afford "training in sound reasoning, give fluency of expression, cultivate fairness in debate, and encourage toleration of the views of others."[44]

Visual instruction was highly valued for its entertainment and inspirational value as well as a tool for those with limited reading ability. Head Teachers at the prison schools met together regularly to make improvements to the curriculum and share resources and stories. At a conference of Head Teachers at Sing Sing's Prison School, J. R. Crowley presented on "Visual Instruction As a Means in Education," paying particular attention to the educational value of moving pictures in the classroom. He talked about the use of the stereopticon, or "magic lantern," an early slide projector that could create a 3-D effect by using two lenses to layer images on top of one another. Crowley used the stereopticon in his English classes for word drills and to inspire the men to use their vocabulary to narrate what they see. Crowley had collaborated with Dr. A. W. Abrams, chief of the department of Visual Instruction of the State Education Department in Albany to obtain slides for the stereopticon for an advanced class on the manufacture of bricks, location of materials, handling and operation, geography of the source area, nature of soils, sources of supply and demand, and construction. In addition, a lesson on the

[42] Ibid.
[43] Hill, "Prison Schools," 23-24.
[44] Ibid., 24.

Colonial period and the Revolution "were made live topics" when pictures were added to the lesson.[45]

Head Teachers of the state prison schools held regular conferences together with Dr. A. C. Hill, Inspector Education Department, to review and measure results. Conferences included inspections and observations of classes in session, "The Material to Be Used and the Best Way to Use it in Schools in Prison," the practical use of vocabulary standards, and testing of knowledge at the end of each standard.[46]

As early as 1895, the University of the State of New York offered extension courses at Sing Sing. "Masterpieces of English Literature" was offered to 160 men at Sing Sing.[47] The Head Teacher in 1922 arranged for 25-30 correspondence courses for the men who were fit to take them, through the Columbia University Home Study Extension Work.[48] Head Teachers cited the lack of the personal touch from a teacher and direct classroom experience limited the success of correspondence courses.[49] Furthermore, inspectors frequently responded that the men lacked the ability to participate in college-level work.

Prison Libraries

Education in its broadest sense, and as outlined in the Declaration of Principles, included reading and the provision of well-stocked libraries. Reformers praised the rehabilitative powers of good reading and crusaded for the collection of books for convicts.[50] The library was an essential resource for Head Teachers, and they loudly advocated for teacher control and

[45] "School Heads Hold the Autumn Conference," *Star-Bulletin*, December 1917, 32.
[46] Ibid.
[47] Report of the Commissioner of Education for the Year 1895-96, Volume 2, Containing Part II (Washington: Government Printing Office, 1897), 2009.
[48] John B. Brunson, Head Teacher, 16th Annual Report of the Clinton Prison School, Clinton Annual Reports, 1922, NY State Archives, BO119-77, 4.
[49] Hill, "Schools for Adults in Prisons," 15.
[50] Larry Sullivan, "Reading in American Prisons: Structures and Strictures," *Libraries and Culture* 33, no. 1, The History of Reading and Libraries in the United States and Russia (Winter 1998), 115.

oversight of it.[51] By the late nineteenth century, New York State made the largest fixed annual appropriation for the increase of prison libraries.[52] Yet, evidence shows that legal provisions for prison education, including the purchase of books, were not carried out effectively.[53] Oversight was therefore very important, as spending was not always adequately accounted for. Several authors have suggested that only in the twentieth century did prison libraries develop to the point where they could be called libraries in a substantive and functional sense. Austin MacCormick, for example, who was actively involved in the promotion of prison libraries in the first half of the twentieth century, dismissed virtually all prison libraries before 1900 on the basis of their essentially religious character and the severe restriction of their operation.[54]

However, some reports showed prisoners availing themselves of histories, travels, biographies, and lighter literature of story books and magazines.[55] Prison libraries were an essential resource for inmates and proved their value if not in number of volumes, then by circulation. In 1875, 99 percent of convicts used the library at Sing Sing.[56] The Chaplain at Sing Sing remarked, "You may think that we give a large proportion who use the library, for it is in fact larger than the proportion who read. But many who cannot read draw books and get their fellow convicts to read to them."[57] Prisoners made use of libraries whenever the opportunity was afforded them. The availability of a library, no matter how small, was believed to improve prison discipline, and the moral sense of prisoners would be "quickened and improved, thus an

[51] Hill, "Schools for Adults in Prisons," 14.
[52] E. C. Wines and Theodore W. Dwight, *Report on the Prisons and Reformatories of the United States and Canada, Made to the Legislature of New York, January 1867* (Albany: Van Benthuysen & Sons, 1867), 221.
[53] Twenty-sixth Annual Report of the Executive Committee of the Prison Association of New York, Prison Association of New York, Reports 1871 to 1873, Vol. 7, 187-88.
[54] William J. Coyle, *Libraries in Prisons: A Blending of Institutions* (New York: Greenwood Press, 1987).
[55] Wines and Dwight, *Report on the Prisons and Reformatories,* 223.
[56] Ibid., 224.
[57] Ibid.

important end of imprisonment, the reformation of the criminal."[58] Lee Taplin, Head Teacher at Auburn Prison, wrote, "I believe that supervised or directed reading is the most important part of our work. As soon as the men have acquired the art of reading so as to understand a book there is a great demand for reading matter. It is not difficult to arouse interest in practically any book we have."[59] Libraries were an important support for Sunday and secular school, which provided intellectual stimulation and a sense of hope to prisoners. The Chaplain at Sing Sing wrote in 1910, "The importance of the library as a part of the equipment of the institution becomes increasingly apparent. A high ideal of the possibilities of its effectiveness and beneficence has been cherished."[60]

For a long time, Sing Sing held the record for the largest collection of books due to the generosity of Governor William H. Seward who purchased $300 worth of books in 1840 for the prison library. This was the first prison library in the State of New York. Libraries were created and maintained through donations by inmate relatives and friends, religious societies, and charity groups. In 1913, only eleven states had laws regarding the maintenance of a library: Alabama, Arkansas, Connecticut, Colorado, Idaho, Illinois, Maine, Michigan, Texas, Utah, Vermont, and Wisconsin.[61] New York did not have a formal law regarding the maintenance of a prison library.

Inmates at Elmira were issued one book a week, preferably a work of fiction. Nonfiction books were considered reference books, and those were only issued to inmates of higher school classes. The School Director could determine who received special privileges to obtain these

[58] Ibid, 219.
[59] Hill, "Prison Schools," 29.
[60] *Annual Report of the Superintendent of State Prisons for the Year Ending September 30, 1910*, New York State Prison Department, 1911, 56.
[61] Whitin, *The Caged Man*, 90-91.

books. Inmates could also request trade journals that were newspapers telling about each of the trades taught at Elmira.[62]

Libraries and the circulation of books influenced prison infrastructure improvements such as lighting in cells to allow prisoners to read during the evening. Reporters complained of lack of natural light in cells or lack of artificial light in the evening when prisoners had free time to read.[63] Showing the number of prisoners visiting the library and borrowing books, and the frequency of borrowing contributed towards lighting improvements in cells.

The movement by inmates and prison societies to secularize their library selections was met with resistance by commissioners. The new penitentiaries had attracted international interest and were looked upon by reformers and government agencies alike as major social experiments. Libraries, like every other aspect of prison life from building architecture, discipline, and convict routines, were examined in light of their conformity with the principles of convict reform.[64] The act of reading, too, straddled the line between escape and confinement, providing a means of mental escape for prisoners who preferred story books to nonfiction.[65] Yet, at the same time, reading could provide a means by which a prisoner could improve his mind and moral character, becoming a more aware and enlightened individual fit for the outside.

The Prison Association created a library committee that reviewed collections at each prison, made suggestions for new items, and helped procure those items through direct purchase or donation.

In 1913, the Commission on Prison Report led by Thomas Mott Osborne, then Chairman of the Commission, made a request of the Commissioner of Education, the Division of

[62] Inmates' Rule Book, 35.
[63] Wines and Dwight, *Report on the Prisons and Reformatories*, 222.
[64] Coyle, *Libraries in Prisons*.
[65] Sullivan, "Reading in American Prisons: Structures and Strictures," 115.

Educational Extension of the University of the State of New York, to examine the libraries and library systems of the prisons and reformatories of the State.[66] The report included descriptions of the libraries at Auburn, Great Meadow, Sing Sing, and Clinton Prisons, as well as the reformatories at Elmira, Naponoch, and Bedford, and the state hospital at Mattoawan. While each institution except Bedford had a dedicated room for library book storage, the report suggested a number of improvements:

> The library quarters in the prisons ought to be large enough to allow all the books to be shelved within easy reach and to permit of installing reading tables for the use of inmates. There are no reading rooms at present in the proper sense of the word, and in only a few of the institutions are inmates allowed to go to the library to select their books, a privilege which is very limited even in those institutions.[67]

Books were frequently brought around to cells on a cart where inmates were permitted to make their selections. "A number of chaplains considered such privileges as feasible, at least for a certain class of inmates."[68]

The report listed the number of volumes at each prison and their condition. The women's prisons had very low numbers compared to the men's prisons. Eleven thousand or more volumes were available at Sing Sing and Auburn, 6,900 at Clinton, and 6,226 at Elmira, while 1,600 were available at the women's prison.

The selection of books was poor at most prisons, although Sing Sing stood out for its impressive collection. The Chaplain and Head Teacher were praised for devoting serious study to the intellectual, linguistic, and practical needs of the prisoners, creating reading lists, and outlining plans for promoting systematic and progressive reading along a variety of lines."[69]

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[66] Preliminary Report of the Commission on Prison Reform of the State of New York, Albany, New York, June 10, 1913.

[67] Ibid., 44.

[68] Ibid.

[69] Ibid., 45.

Many libraries contained books that were perhaps too advanced for the inmates, "books which even in the healthy outside world only the exceptional person will read," but were obtained by donation or discard. Specific recommendations were made by the reporters of appropriate reading material for inmates at asylums such as volumes of travel, adventure, and fine arts, but very few books of this class were housed in those libraries. The libraries, of course, had lists of books which should be barred from prison libraries, such as those "having immoral tendencies or in which the sex question is unduly prominent. Nor is it desirable to include many detective stories, books concerned with crime or books which are morbid and depressing."[70] Good "wholesome stories such as boys like" were the primary recommendation.

The most popular books reported by Lee Taplin at Auburn Prison were books about history or wars such as *The War of 1812*, *Civil War Stories*, *War for Independence*, *Boys of '76*, *Columbus and Magellan*, *Four American Pioneers, Life of Lincoln*, and *Up from Slavery*. Travel books or books about other countries and cultures were also popular such as *Stoddard's Lectures*, *Northern Europe*, *Story of China*, *Story of Russia*, *In Darkest Africa*, and *National Geographic Magazine*. Even books on science were popular, such as *Triumphs of Science* and *Elements of Physics*.[71]

In 1916, the Superintendent of State Prisons requested the State Library to prepare a list of books, "which might be used with confidence by the penal and reformatory institutions of the State."[72] The bulletin listed 480 carefully chosen titles of general fiction, including 95

[70] Ibid., 46.
[71] Hill, "Prison Schools," 29.
[72] "List of Books for Prison Libraries, Part I," *New York State Library Bibliography Bulletin 57*, *University of the State of New York Bulletin* (Albany: The University of the State of New York, 1916), and The American Library Annual 1916-1917 (New York: R.R. Bowker Co., 1917).

specifically for young men and 37 for women. There was an additional list of 500 books on the general reading list.

Inmates wrote book reviews and made requests for items for the libraries in the *Star of Hope*. Inmates requested books of different genres. One inmate requested historical romances as a way to dodge the ban on romance novels, "stories of life, love and adventure founded on history of various countries and their people."[73] In addition to this, the desire for more books on history, science, biographies, and religion was just as popular as fiction.

The authors of the report advocated for the procurement of books in foreign languages. "At Sing Sing half of the inmates are foreign born but less than one-tenth of the books are in foreign languages."[74] Yet, Head Teachers generally agreed that books in foreign languages were an unnecessary distraction and crutch for inmates learning English. By 1922, Clinton had received an influx of books in Italian, an increase in technical works, and magazine subscriptions received through donations.[75]

Few of the prison libraries had classification systems. Elmira and Sing Sing had card catalogs. The *Star of Hope*, the prison magazine of Sing Sing, printed new lists of books with each edition, and inmates wrote reviews of new books. By 1924, the Clinton Library had installed the Dewey Decimal System in their library, and inmates requested books of a more serious nature.[76]

Chaplains regularly advocated for the hiring of trained librarians to manage the growing libraries so as to make a better selection of books, create adequate classification, maintain a card catalog, and produce printed finding lists. Chaplains also recommended that inmates be

[73] Clinton No. 11958, *Star of Hope,* July 1916, 22.
[74] Ibid., 46.
[75] Chaplain's letter, Clinton Annual Report, 1922, NY State Archives, BO119-77, 1.
[76] "Chaplain's Department," Introduction, Clinton Annual Report, 1924, NY State Archives, BO119-77.

permitted access to library shelves, a reading room be created for trustworthy inmates, and the reading room be supplied with good magazines and daily papers.[77]

Reading motivations of inmates varied; "the men avail themselves of the privileges of this department, some with the idea of mental relaxation and some with the ultimate aim of mental culture."[78] Yet, the prison library ideally was to be an adjunct of the school: "It should be a continuation school which the men enter on leaving the regular prison school. In one school the men learn how to read and get a start in useful reading; in the other they apply the art in a wider field."[79] Some prominent and notorious criminals were influential in building up prison libraries, in particular Nathan F. Leopold (of Leopold and Loeb) imprisoned at Stateville Penitentiary in Illinois. Nathan Leopold Jr. was half of the famed duo Leopold and Loeb, murderers of fourteen-year-old Bobby Franks in 1924 on the south side of Chicago. Sentenced to life, Leopold became a model prisoner, learning languages, reorganizing the prison library, and revamping the schooling system.[80]

The libraries were integral to the work of the prison schools. A collection at Sing Sing that began as 300 books grew to over 11,000 by the end of the Progressive Period. Libraries encouraged literacy and reading, gave the men opportunities to improve, and gave them some control over their own learning by providing opportunities to choose materials. While some tensions may have existed between the prison chaplains who wished to keep the libraries religious in nature and the Head Teachers who wished to secularize, the expansion of library resources, collections, and improvements in cataloging and circulation all began during the Progressive Period.

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[77] Preliminary Report of the Commission on Prison Reform of the State of New York, 1913, 49.
[78] "Chaplain's Department," Clinton Annual Report, 1922, NY State Archives, BO119-77.
[79] Hill, "Prison Schools," 22.
[80] Nathan F. Leopold, *Life Plus 99 Years* (Garden City, NY: Doubleday, 1958).

Vocation Education

Vocational training opportunities were limited outside the incidental work conducted in workshops, despite callings from teachers for such formal training.[81] Phllip Klein wrote in 1917, "Attention, therefore, is now being concentrated more on industrial training or perhaps, to be more accurate, upon a complete and comprehensive system of education in which the school of letters and the trade school are coordinate parts."[82] It is clear from class offerings and the creation of standards in professional fields that inmates could occupy upon release that prison schools recognized the importance of vocation training in bookkeeping, stenography, or business administration, but not in an industrial skill. Vocational training was distinct from experience in the prison workshop. Trade schools were more common in reformatories or institutions for the young rather than in prisons.

Machine workshops were often subject to fires; several burned down and had to be rebuilt.[83] The Clinton Industrial Building burned to the ground in 1922, but since the workshops brought in significant income to the prisons, it was essential to rebuild.

A reorganization of prison industries was underway in the 1920s, that "wage rate should be based on the actual work performed by the individual inmate."[84]

Mutual Welfare Leagues

The Mutual Welfare League was an idea hatched by Thomas Mott Osborne during his stay as Tom Brown at Auburn Prison in 1912. He formally established the League at Sing Sing Prison when he became warden in 1914, and it was wildly popular and successful among inmates at that time. They are important to discussions of prison education and reform because they, too,

[81] Hill, "Schools for Adults in Prisons," 10.
[82] Phillip Klein, *Prison Methods in New York State,* 321.
[83] Clinton Annual Reports, 1922, NY State Archives, BO119-77.
[84] Ibid.

fulfilled the reformers vision of the new penology, of placing a prisoner's destiny in his own hands through self-government exercises. The Declaration of Principles stated: "In the prison, as in free society, there must be the stimulus of some personal advantage accruing from the prisoner's efforts. Giving prisoners an interest in their industry and good conduct tends to give them beneficial thoughts and habits."[85] In some places, the Leagues merely organized social activities, but at Sing Sing, the Mutual Welfare League acted as a miniature democracy.

Howard S. Davidson wrote about the Mutual Welfare League and examined more complex social conditions and struggles that led up to the Leagues' formation and success, as well as the prisoners' own agency in their operation. He wrote about the Leagues as part of a wider self-government movement promoted in schools, factories, and prisons to control labor and social unrest that accompanied the rapid growth of industrialization at the turn of the twentieth century.[86] While we can view the Leagues as a tool of social control given to inmates to create the illusion of freedom, the inmates viewed the experience in a very different light. Inmates wrote about the importance of the Mutual Welfare League to them as men wishing to return to society:

> Qualities for good are never connote or innate, and an acorn is never the oak but it has the seed of the oak within its core and given proper nourishment and opportunity the acorn will become a sturdy tree. The same of the prisoner with weak purpose and undeveloped sense of right and wrong, for the divine spark for right thinking is for one and for all and can be brought to full fruition through exercise of neglected sensibilities in much the same manner a muscle is developed and strengthened by exercise.… This balance of things can only be acquired through the faculties exercised by self-government of which the Mutual Welfare League is an example.[87]

The Mutual Welfare League at Sing Sing was a powerful force in the prison, and from inmates' writings about it, played a tremendous role in reshaping their lives:

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[85] Wines, *Transactions of the National Congress on Penitentiary and Reformatory Discipline,* 548.
[86] Davidson, "An Alternative View of the Past," 169.
[87] Sing Sing No. 65368, "Thy Sons and Fetters," *Star of Hope*, May 1916, 4.

> Today, Sing Sing and Auburn are two vast melting pots wherein men are poured and out from which men emerge, cleansed and refined by the very fires that formerly destroyed every fibre of their manhood. The first spark of this great movement was born in the Henry George Junior Republic. It was fanned to flame and carried as a lamp to Auburn by "Tom Brown" and the down the river to Sing Sing as a beacon light and a vestal fire to all men broken on the wheel of circumstance. Under the leadership of the genial Sergeant-at-Arms of the Mutual Welfare League, discipline within Sing Sing has become a thing to marvel at.[88]

The Mutual Welfare League had many accomplishments to boast and celebrate, including the weekly publication of the *Bulletin*, which was "one of the best weekly prison newspapers in the world," according to one inmate.[89] The League established a vocational school at Sing Sing, which was supported wholly by contributions from the friends and family of inmates, with the purpose of teaching purely vocational pursuits and trades. One of the League's best accomplishments was the establishment of an employment bureau, ensuring that Sing Sing men had jobs upon release. The League paid for visits from mothers and children of inmates. The League closed Sing Sing's "Potter's Field" with unmarked graves for inmates with respectable burials in cemeteries with clergy present. The League also established the "inmates court," or the Grievance Committee, presided over by five inmates elected from the members of the Mutual Welfare League. Respect was shown to the members of the court, and inmates carried out orders in the "spirit of the new penology."[90]

The Mutual Welfare League is the one aspect of the prison school experiment that comes closest to John Dewey's school laboratory idea. Dewey believed that all educational activities should point towards the solving of practical problems from questions derived from the experiences of students and built upon student interest. He believed in creating a democratic community of problem solvers. "Education is the process by which on the basis of present

[88] *Star of Hope*, March 1916, 15.
[89] Ibid.
[90] Sing Sing No. 65368, "Universities vs. Prisons," *Star of Hope*, October 1916, 4.

experiences we make future experiences more accessible, meaningful, or controllable."[91] Individuals learned not only from their own experience, but from the experience of others. This could be painfully true in the prison setting. Dewey criticized the isolation of the mind from the body, isolating the way we learn from what we learn. For Dewey, a democratic society is organized so that all institutions allow human beings to develop themselves to their fullest potential, free to choose patterns of life that are compatible with those of their fellows within their shared environment and social frame. Schools must allow students to develop their skills and interests to the fullest, and to learn to live peacefully and cooperatively with others.[92]

Sports and Recreation

Prison administrators believed that recreational activities such as baseball facilitated the rehabilitation process by instilling middle-class values in prisoners and eradicating criminal tendencies.[93] This belief only strengthened through the 1920s. Like the Mutual Welfare Leagues, sports leagues in prison allowed prisoners to feel some kind of agency and control over their own lives. Baseball prevented idleness, the greatest fear of wardens after the demise of contract labor. Progressives asserted a new kind of manliness, one that stressed a strong body and aggression over gentility and reflection in order to combat the evils associated with the lower classes.[94] Exercise and fresh air would also combat the spread of disease in the overcrowded prison environment. Furthermore, the skills learned in team sports offered the same democratizing, respectful skills needed for participation in society, emphasizing self-control and avoiding emotional excess. Zebulon Brockway advocated for sport participation in the rehabilitative

[91] John Dewey, *Democracy and Education 1916,* The Middle Works of John Dewey, 1899-1924, Volume 9, ed. Jo Ann Bydston (Carbondale and Edwardsville: Southern Illinois University Press, 1985), x.

[92] Ibid., xii-xiii.

[93] Tim Hayburn, "Baseball Behind Bars: Prison Baseball at Eastern State Penitentiary in the Early Twentieth Century," *Journal of Sport History* 34, no. 2 (Summer 2007): 254.

[94] Clifford Putney, *Muscular Christianity: Manhood and Sports in Protestant America, 1880-1920* (Cambridge, MA: Harvard University Press, 2001), 3-6, 50-53.

process. Thomas Mott Osborne believed that sports gave prisoners more autonomy and prepared them for life outside prison.[95] Through league play, prisoners were frequently allowed to play teams from outside the prison, or against the guards and warden, creating situations that more closely resembled life outside prison.[96]

Hayburn argued that lack of segregation on sports teams created an egalitarianism in prison that did not exist outside. Prison life may have eased racial tensions because the prisoners shared the same status regardless of skin color.[97] Baseball was also a way to Americanize immigrants in prison by sharing an important piece of American culture, teaching fairness and team play. By 1928, the Warden of Clinton Prison wrote in his annual report, "Regular physical activity and recreation go a long way in keeping inmates contented, less prone to violence, riots, and escape attempts."[98]

Results from Prison School Efforts

Measurements for success were different in 1916 from what we expect today. Today, we expect to measure rates of recidivism, or the return to prison after release. The parole system had just been put in place in 1901, so information is limited connecting school experience with success after prison. After release, former inmates often followed up with the Chaplain, who served as the parole officer. The former inmate was expected to find housing with family if possible, obtain gainful employment, and attend religious services regularly. Measures of success were often based on expectations of demonstrating good Christian or moral character.

What the schools could do well was measure inmate success in completing program standards and increasing literacy. Prison schools successfully helped to keep order in the prisons

[95] Larry E. Sullivan, *The Prison Reform Movement*, 35.
[96] Hayburn, "Baseball Behind Bars," 261.
[97] Ibid.
[98] "Discipline," Introduction, Clinton Annual Report, 1928, NY State Archives, BO119-77.

by making directions easier to follow for immigrants learning English. Schools were also successful in improving the self-respect of inmates and relieving the depression of prison life. Head Teacher Lee Taplin wrote that pupils "complain often that the hour passes too quickly and are jealous if a teacher gives a little extra time to any particular man. They respect learning and they clutch close about them any clinging shreds of their former self-respect."[99] Exercising some agency through class debates, reading and preparing outside of class, and participating on sports teams allowed men opportunities to practice and demonstrate those middle-class Protestant values so cherished by Progressives. Sing Sing inmates wrote with great pride about Thomas Mott Osborne and the Mutual Welfare League. They were proud to have Sing Sing called "the college" by newspaper men.[100] In addition, participation in self-government through the Mutual Welfare League was wildly popular and effective in preparing men for release.

The conduct of men in prison was greatly improved by the presence of prison schools. Head Teacher Lee Taplin cited several practical benefits for the men attending school. Foreigners, after attending school for a short time and beginning to learn English, were better able to understand the orders given to them concerning their work. Men who were formerly disorderly were able to organize themselves better after becoming interested in school work. Men who formerly could only sign their names started writing letters home.[101] "A large number of men have left the prison equipped for much more remunerative employment because of the education received within prison walls."[102] While it was generally acknowledged among teachers, administrators, and reformers that the problems that led to criminal behavior extend to poverty and missed opportunities of childhood, they believed every man was worth saving. "We

[99] Taplin, "The Education of Illiterate Criminals," in A. C. Hill's "Prison Schools," 32.
[100] *Star of Hope*, Sing Sing Newspaper, October 1916.
[101] Taplin, "The Education of Illiterate Criminals," in A. C. Hill's "Prison Schools," 32.
[102] Ibid.

believe that reformative treatment is the cheapest and best perfection with which society can defend itself from crime."[103]

Prison schools helped to eradicate the problem of illiteracy from the inmate population. Warden Frost of Sing Sing noted in 1907 that the majority of prisoners who came to Sing Sing as relatively young men and left Sing Sing with a good knowledge of English, arithmetic, and some history and geography, learned all they knew from their experience in the prison school. Many prisoners obtained positions after release using the knowledge they gained in the school.[104] Frost also commented that when the school started, 30 percent of the inmates of Sing Sing were absolutely illiterate. By 1907, that number had dropped to 10 percent, and the majority of those inmates suffered from a mental or physical defect which prevented them from attending the school. The library's circulation increased over 50 percent.

The *Star of Hope* newspaper produced at Sing Sing Prison was a project of the Head Teacher and a monthly publication devoted to the interests of the inmates of New York State prisons. The newspaper showcased the very best writing and abilities of the prisoners.[105] The newspaper impressed visitors and inspectors and, for them, showed evidence of personal transformation. "The *Star of Hope* continues to fulfill its mission in encouraging the literary activity of a good number of writers. It seems to have exceeded even the standard of excellence attained in previous years."[106]

Prison schools improved the safety of inmates in prison industry workshops. Warden Frost reported the improved discipline and rule-following of the foreign-born inmates in

[103] Ibid.
[104] "College Men in Sing Sing Form a Faculty," 40.
[105] Editor-in-Chief, "Editorials and Observations," *Star of Hope*, May 1916, 26.
[106] Annual Report of the Superintendent of State Prisons for the Year Ending September 30, 1910, New York State Prison Department, 1911, 56.

workshops. They were able to better understand instructions and, as a result, the shop output improved and increased. Head Teacher Helfter reported that instilling American customs and ideas was one of the most beneficial results. The men felt more at home and eager to participate in society.[107] Head physicians noted that increased knowledge of English led to more care and attentiveness in workshops, resulting to fewer injuries, better sanitation in workshops, and better personal hygiene.[108]

In 1917, Austin H. MacCormick wrote in *The North American Student*, "Mr. Osborne's work [at Sing Sing and Auburn], however, though done in prisons of the worst type, had come more nearly to actual reform, I believe, than all other prison systems."[109] MacCormick had served under Thomas Mott Osborne in the U.S. Naval reserves at Portsmouth and visited Auburn Prison, so it is likely that his personal experience with Osborne colored his views of the prisons' success. MacCormick would become one of the greatest prison reformers of the twentieth century and highly critical of conditions at most prisons he visited. To get such high praise was rare.

Conclusion

The educational experience of prisoners expanded beyond the classroom walls to include personal reading, participating on sports teams and in Mutual Welfare Leagues, and vocational training in prison workshops. The experience inside the classroom was thoughtful and structured, regular and efficient. As A. C. Hill wrote, intermittent efforts to teach inmates did not constitute a school. Yet, New York stood apart from other states in the quality of teachers hired and the quality of educational opportunities provided. The results and impact of the New York prison

[107] "College Men in Sing Sing Form a Faculty," 40.
[108] "School Heads Hold the Autumn Conference," *Star-Bulletin*, December 1917, 32.
[109] Austin H. MacCormick, "The College Man and Prison Reform," *The North American Student* 6, No. 1 (October 1917): 115.

schools were immediately noticed by administrators, teachers, and pupils. Furthermore, the altruistic nature of the schools and other educational opportunities were a crowning achievement of reformers who dared to fulfill the dreams and aspirations of the prison reformers who sat down for the first Congress of the National Prison Association in 1870.

Chapter 6

CONCLUSION

By 1931, with the publication of *The Education of Adult Prisoners*, Austin H. MacCormick could clearly state the many aims and philosophy of prison schooling, including academic education, vocational education, and social and moral education. Yet, this breadth of purpose was not apparent yet when the prison school experiment began in New York State prisons in 1905. The establishment of schools in prisons was a remarkable innovation in the prison reform movement of the Progressive Era in New York State, and grew out of the particular climate of change and experimentation created by the Progressive Movement. While prison schools provided some support in filling the occupational void in prisoner time after the abolition of the contract labor system, and some form of social control by incentivizing good behavior, the prison school idea was also an optimistic social endeavor. Schooling was provided without immediate economic benefit to the State through product or labor; it was provided merely for the good of men and the long-term good of society. In so doing, inmates themselves gained some empowerment in bringing about their own improvement and transformation. In this dissertation, I argue that the prison schools, hiring of professional educators, and classification of inmates were reforms that, when taken together, formed tangible steps towards organizational, systemic, and policy shifts in prisons that brought to life the goals and aspirations of the prison reformers of the 1870 Congress who envisioned the prison as "one great school" where all aspects of prison life would be subservient to instruction. Thus, prison schools contributed to the new vision for prisoner rehabilitation in the Progressive Era. The prison school experiment in New York stood apart from other states in the commitment to hiring experienced and educated

teachers, providing a competitive salary, offering separate and dedicated space for classrooms, and establishing a progressive curriculum of standards. Prison school standards formed an important part of the progressive classification system for prisoners, particularly those with indeterminate sentences, and establishing stages for rehabilitation and release from prison. This progressive classification system also fulfilled the vision of the new penology.

This dissertation explored aspects of the prison schools that were formally established at Sing Sing, Auburn, and Clinton prisons in 1905, and Great Meadow in 1911, with dedicated classroom space and civilian Head Teachers. This study also explored the political, economic, and social climate of the Progressive Era that created optimal conditions for the prison school experiment. A prison labor movement organized by labor groups and unions grew throughout the nineteenth century and culminated in the 1880s and 1890s after a powerful series of events in Albany, New York that changed prison labor legislation and brought great attention to workers from every rank of society. Free laborers were losing work contracts to prison laborers, who cost considerably less to employ. The prison reform efforts of the nineteenth century resulted in the banning of prison contract labor in 1894 after persistent and creative organizing. The struggle highlighted the issue of prisoner "idleness" and the necessity of manual labor to maintaining control in the prison environment once workshops went silent. Arguments on both sides underscored a significant shift in public conception of prison labor: prison labor was not about "curing" criminality or rehabilitating a "sick" individual to re-enter society, but about punishment and productivity. Conversely, the rehabilitative qualities of manual work were extremely important to the reformers' view of rehabilitation. The idleness question left a space for reformers to fill with educational activities that fit both the needs of men in bettering themselves for return to society as well as time to fill in the prisoners' day.

Reformers of the prison reform movement such as Zebulon Brockway, Cornelius V. Collins, and Thomas Mott Osborne adhered to the principles laid out by the 1870 Congress of the National Prison Association and revered them as a founding document. The principles served as an outline of the new vision for prisoner rehabilitation for the Progressive Era. As a result, the steps they took to change prison organization, systems, and policies reflected this new vision.

In the decades that followed the prison school experiment, it became clear that education in prisons was not going away and was, in fact, a reform initiative with great potential. By 1928, a Keepers School for the Training of Prison Staff was established. In addition, several events occurred in rapid succession that moved the needle forward for correctional education. The Lewisohn Report was produced after the Commission to Investigate Prison Administration and Construction was created by the New York State Legislature in 1930.[1] The report called for the prison system to "reeducate and retrain" men and women to make them fit for society. Second, the Englehardt Commission, which was the follow-up to the Lewisohn Commission, reported:

> The objective of prison education in its broadest sense should be the socialization of inmates through varied impressional and expressional activities, with emphasis on individual inmate needs. The objective of this program shall be the return of these inmates to society with a more wholesome attitude toward living, with a desire to conduct themselves as good citizens and with the skills and knowledge which will give them a reasonable chance to maintain themselves and their dependents through honest labor.[2]

These reports led to new engagement and interest in prison education as a method of rehabilitation in the 1930s. In 1931, Austin MacCormick published *The Education of Adult Prisoners: A Survey and a Program* prepared for the National Society of Penal Information,

[1] Carl C. Gaither, "Education Behind Bars: An Overview," *Journal of Correctional Education* 33, no. 2 (June 1982): 20.

[2] Laws of New York, 1935, Chapter 670, Section 3, cited in Carl C. Gaither, "Education Behind Bars: An Overview," 21.

based on the results of a nationwide survey of prisons conducted in 1928.[3] MacCormick was an outspoken critic of the state of correctional education in the 1930s when he served as Commissioner of the New York Department of Corrections. In his speech "Present Status of Penal Education" from 1937, MacCormick recounted the strides made during the decade from 1927-1937. While there were many pitfalls, there were also great strides. MacCormick's book, *The Education of Adult Prisoners*, was the first comprehensive and scholarly work on prison education. Soon after, correctional education became an established professional field. Howard L. Briggs produced *A Handbook of Methods for Vocational Teachers* for the Division of Education for the New York State Department of Correction in 1938,[4] *The Journal of Correctional Education* came out with its first issue in 1949, and the first Manual of Correctional Standards was published by the American Correctional Association (formerly the American Prison Association) in 1954.[5]

While this study focused primarily on the optimism of reformers and the theory of rehabilitation, there were many failed experiments in prison reform as well. Joseph Spillane's book, *Coxsackie: The Life and Death of Prison Reform*, examined the large-scale prison reform effort of 1929 initiated by New York Governor Franklin D. Roosevelt and Lieutenant Governor Herbert Lehman.[6] Coxsackie embodied the intention to respond to the problem of the young male offender through rehabilitative programs and humane confinement, with more teachers and

[3] Austin H. MacCormick, *The Education of Adult Prisoners: A Survey and a Program* (New York: National Society of Penal Information, 1931).

[4] Howard L. Briggs, *A Handbook of Methods for Vocational Teachers for the Division of Education for the New York State Department of Correction* (New York: New York State Department of Correction, Division of Education, 1938).

[5] Steven T. Adwell and Bruce I. Wolford, "The Development and Growth of Standards for Correctional Education," *Journal of Correctional Education* 34, no. 4 (December 1983): 123.

[6] Joseph F. Spillane, *Coxsackie: The Life and Death of Prison Reform* (Baltimore: Johns Hopkins University Press, 2014).

vocational instructors employed than any other prison in the United States.[7] Coxsackie was later considered to be a failed reform institution. Similarly, Alexander Pisciotta's book, *Benevolent Repression: Social Control and the American Reformatory-Prison Movement,* highlighted the gaps between theory and practice at Elmira Reformatory.

One of the most important critiques of prison reform implementation is David J. Rothman's 1980 study, *Conscience and Convenience*, which provided a broad overview of America's twentieth-century prisons, mental hospitals, and juvenile reformatories to highlight the horrific record of brutality, mismanagement, and failures of implementation that did not live up to the ideals of the reformers.

This study emphasized the theory of the reformers' vision in addition to the practice of those reforms. However, primary sources written in prisoner voices from this period are limited, and more of them would undoubtedly provide an alternative narrative to the one of prison teachers and administrators. Prison newspapers written by inmates are very helpful in supplementing this narrative, but even then, the newspapers were produced under prison staff supervision with knowledge of their various audiences. As Howard S. Davidson acknowledged in his article on the Mutual Welfare League, histories on the development of prison education are rarely from the prisoners' point of view nor do they investigate the agency of prisoners in determining their own outcomes of particular reforms.[8]

This research placed prison schools at the center of the rehabilitation idea for prisoners in the Progressive Era. This fundamental shift in thinking from considering prisoners as property of the state to human beings in need of care and treatment opened pathways for new experiments. The idea of education as a reformative tool became a reality with the establishment of prison

[7] Ibid., 3.
[8] Davidson, "An Alternative View of the Past."

schools fitting the structure as we know it with a physical building, paid teachers, and a curriculum. Prison schools fell under the supervision of the State Department of Education subject to external inspection and review. As the site of many "firsts" in prison reform, New York stood apart from other states in its ability to function as a laboratory for the prison school experiment. Conditions were ripe for the experiment to take place. New experiments in Progressive education in schools and Americanization programs in settlement houses were already proliferating in New York City and other urban areas. New York prisons had the space and resources to make their prison schools a success. The schools had the support of administrators and decision makers. Highly educated, connected, and motivated reformers were able to push their reform agendas through the New York political machine. Connections to universities, including Columbia and its faculty, gave weight and heft to the project. Finally, the prisons had a ready supply of eager and motivated inmates to serve as pupils. The conditions were right for the prison school experiment to be a success, but New York was also a unique laboratory to serve as the setting.

Within the context of the history of education, prison schools were a significant Progressive Era experiment alongside reformatories and industrial schools that shaped a segment of schooling outside the mainstream public schooling. Inmates attending prison schools never received a childhood education to begin with, and perhaps earned for themselves a credential better than or equal to a public school education. Prison schools, although not directly or explicitly connected to any one theory of education, developed in a hothouse of Progressive Era ideas on the subject. The curriculum standards show a commitment to the Americanization of immigrants and the teaching of middle-class Protestant values and norms. English literacy was of primary importance in preparing inmates for the working world outside of prison. All prison

structures, routines, and discipline, of course, resemble a factory model as well, instilling in inmates from the start the importance of hierarchy and chain of command. Yet, short-lived episodes such as the successful run of the Mutual Welfare League showed commitment from prison reform leadership to ideals of democracy, self-government, and self-direction of inmates in the learning process to build a better society and better future.

This research also drew the connection between the end of the contract labor system in prison and the beginning of prison schools. While there are numerous studies on prison labor reform and the shift in reformers' thinking about hard labor and rehabilitation, few studies have made this connection. This research also explored the more sophisticated roles and backgrounds of the teachers in prison schools in New York, and contributes to building a fuller picture of the prison reform movement beyond prison buildings, labor disputes, and economics, but to the ever-present challenge of delivering and measuring some of the intangible gains of self-improvement.

Further studies could be done to compare the New York schools to schools in other states. While surveys by A. C. Hill and Austin MacCormick showed minimal efforts and poor results in most states, a comparison might further support the notion that New York prison schools were an outlying success. Deeper studies could be done on inmate stories after release, parole records, and measurements of success. More personal stories might be gathered from the personal papers of Thomas Mott Osborne and Austin H. MacCormick, particularly in identifying their personal experience with education philosophies.

Prison schools for women also warrant further study. While they may have been under-resourced in comparison to the men's prisons, their vocational education programs and personal inmate stories would contribute to our understanding of the experiences of marginalized women. The teachers at the women's prisons in New York attended the same conferences and

professional development sessions as the male teachers, and they followed the same curriculum standards. Female inmates also contributed to the prison newspapers, *Star of Hope* and *Star-Bulletin*, so their voices are represented among male inmates in those forums.

In 1931, MacCormick wrote that the philosophy of education for adult prisoners was "to consider the prisoner as primarily an adult in need of education and only secondarily as a criminal in need of reform."[9] I hope that this study has highlighted the prison school experiment of the Progressive Era as a high mark in the prison reform movement, a window into the possibilities of education in rehabilitating prisoners, and the beginning of a system of schooling in prisons.

[9] MacCormick, *The Education of Adult Prisoners*, 11.

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Appendix A

Declaration of Principles Adopted and Promulgated by the 1870 Congress of the National Prison Association

I. Crime is an intentional violation of duties imposed by law, which inflicts an injury upon others. Criminals are persons convicted of crime by competent courts. Punishment is suffering inflicted on the criminal for the wrong done by him, with a special view to secure his reformation.

II. The treatment of criminals by society is for the protection of society. But since such treatment is directed to the criminal rather than to the crime, its great object should be his moral regeneration. Hence the supreme aim of prison discipline is the reformation of criminals, not the infliction of vindictive suffering.

III. The progressive classification of prisoners, based on character and worked on some well-adjusted mark system, should be established in all prisons above the common jail.

IV. Since hope is a more potent agent than fear, it should be made an ever-present force in the minds of prisoners, by a well-devised and skillfully-applied system of rewards for good conduct, industry and attention to learning. Rewards, more than punishments, are essential to every good prison system.

V. The prisoner's destiny should be placed, measurably, in his own hands; he must be put into circumstances where he will be able, through his own exertions, to continually better his own condition. A regulated self-interest must be brought into play, and made constantly operative.

VI. The two master forces opposed to the reform of the prison systems of our several states are political appointments, and a consequent instability of administration. Until both are eliminated, the needed reforms are impossible.

VII. Special training, as well as high qualities of head and heart, is required to make a good prison or reformatory officer. Then only will the administration of public punishment become scientific, uniform and successful, when it is raised to the dignity of a profession, and men are specially trained for it, as they are for other pursuits.

VIII. Peremptory sentences ought to be replaced by those of indeterminate length. Sentences limited only by satisfactory proof of reformation should be substituted for those measured by mere lapse of time.

IX. Of all reformatory agencies, religion is first in importance, because most potent in its action upon the human heart and life.

X. Education is a vital force in the reformation of fallen men and women. Its tendency is to quicken the intellect, inspire self-respect, excite to higher aims, and afford a healthful substitute for low and vicious amusements. Education is, therefore, a matter of primary importance in

prisons, and should be carried to the utmost extent consistent with the other purposes of such institutions.

XI. In order to [sic] the reformation of imprisoned criminals, there must be not only a sincere desire and intention to that end, but a serious conviction, in the minds of the prison officers, that they are capable of being reformed, since no man can heartily maintain a discipline at war with his inward beliefs; no man can earnestly strive to accomplish what in his heart he despairs of accomplishing.

XII. A system of prison discipline, to be truly reformatory, must gain the will of the convict. He is to be amended; but how is this possible with his mind in a state of hostility? No system can hope to succeed, which does not secure this harmony of wills, so that the prisoner shall choose for himself what his officer chooses for him. But, to this end, the officer must really choose the good of the prisoner, and the prisoner must remain in his choice long enough for virtue to become a habit. This consent of wills is an essential condition of reformation.

XIII. The interest of society and the interest of the convicted criminal are really identical, and they should be made practically so. At present there is a combat between crime and laws. Each sets the other at defiance, and, as a rule, there is little kindly feeling, and few friendly acts, on either side. It would be otherwise if criminals, on conviction, instead of being cast off, were rather made the objects of a generous parental care; that is, if they were trained to virtue, and not merely sentenced to suffering.

XIV. The prisoner's self-respect should be cultivated to the utmost, and every effort made to give back to him his manhood. There is no greater mistake in the whole compass of penal discipline, than its studied imposition of degradation as a part of punishment. Such imposition destroys every better impulse and aspiration. It crushes the weak, irritates the strong, and indisposes all to submission and reform. It is trampling where we ought to raise, and is therefore as unchristian in principle as it is unwise in policy.

XV. In prison administration, moral forces should be relied upon, with as littler admixture of physical force as possible, and organized persuasion be made to take the place of coercive restraint, the object being to make upright and industrious free men, rather than orderly and obedient prisoners. Brute force may make good prisoners; moral training alone will make good citizens. To the latter of these ends, the living soul must be won; to the former, only the inert and obedient body.

XVI. Industrial training should have both a higher development and a greater breadth than has heretofore been, or is now, commonly given to it in our prisons. Work is no less an auxiliary to virtue, than it is a means of support. Steady, active, honorable labor is the basis of all reformatory discipline. It not only aids reformation, but is essential to it. It was a maxim with Howard, "make men diligent, and they will be honest"—a maxim which his congress regards as eminently sound and practical.

XVII. While industrial labor in prisons is of the highest importance and utility to the convict, and by no means injurious to the laborer outside, we regard the contract system of prison labor, as

now commonly practiced in our country, as prejudicial alike to discipline, finance and the reformation of the prisoner, and sometimes injurious to the interest of the free laborer.

XVIII. The most valuable parts of the Irish prison system—the more strictly penal stage of separate imprisonment, the reformatory stage of progressive classification, and the probationary stage of natural training—are believed to be as applicable to one country as another—to the United States as to Ireland.

XIX. Prisons, as well as prisoners, should be classified or graded so that there shall be prisons for the untried, for the incorrigible and for other degrees of depraved character, as well as separate establishments for women, and for criminals of the younger class.

XX. It is the judgment of this congress, that repeated short sentences for minor criminals are worse than useless; that, in fact, they rather stimulate than repress transgression. Reformation is a work of time; and a benevolent regard to the good of the criminal himself, as well as to the protection of society, requires that his sentence be long enough for reformatory processes to take effect.

XXI. Preventive institutions, such as truant homes, industrial schools, etc., for the reception and treatment of children not yet criminal, but in danger of becoming so, constitute the true field of promise, in which to labor for the repression of crime.

XXII. More systematic and comprehensive methods should be adopted to save discharged prisoners, by providing them with work and encouraging them to redeem their character and regain their lost position in society. The state has not discharged its whole duty to the criminal when it has punished him, nor even when it has reformed him. Having raised him up, it has the further duty to aid in holding him up. And to this end it is desirable that state societies be formed, which shall co-operate with each other in this work.

XXIII. The successful prosecution of crime requires the combined action of capital and labor, just as other crafts do. There are two well defined classes engaged in criminal operations, who may be called the capitalists and the operatives. It is worthy of inquiry, whether a more effective warfare may not be carried on against crime, by striking at the capitalists as a class, than at the operatives one by one. Certainly, this double warfare should be vigorously pushed, since from it the best results, as regards repressive justice, may be reasonably hoped for.

XXIV. Since personal liberty is the rightful inheritance of every human being, it is the sentiment of this congress that the state which has deprived an innocent citizen of this right, and subjected him to penal restraint, should, on unquestionable proof of its mistake, make reasonable indemnification for such wrongful imprisonment.

XXV. Criminal lunacy is a question of vital interest to society; and facts show that our laws regarding insanity, in its relation to crime, need revision, in order to bring them to a more complete conformity to the demands of reason, justice and humanity; so that, when insanity is pleaded in bar of conviction, the investigation may be conducted with greater knowledge, dignity and fairness; criminal responsibility be more satisfactorily determined; the punishment of the

same criminal be made more sure, and the restraint of the insane be rendered at once more certain and more humane.

XXVI. While this congress would not shield the convicted criminal from the just responsibility of his misdeeds, it arraigns society itself as in no slight degree accountable for the invasion of its rights and the warfare upon its interests, practiced by the criminal classes. Does society take all the steps which it easily might, to change, or at least to improve, the circumstances in our social state that lead to crime; or, when crime has been committed, to cure the proclivity to it, generated by these circumstances? It cannot be pretended. Let society, then, lay the case earnestly to its conscience, and strive to mend in both particulars. Offences, we are told by a high authority, must come; but a special woe is denounced against those through whom they come. Let us take heed that that woe fall not upon our head.

XXVII. The exercise of executive clemency in the pardon of criminals is a practical question of grave importance, and of great delicacy and difficulty. It is believed that the annual average of executive pardons from the prisons of the whole county reaches ten per cent of their population. The effect of the too free use of the pardoning power is to detract from the certainty of punishment for crimes, and to divert the mind of prisoners from the means supplied for their improvement. Pardons should issue for one or more of the following reasons, viz.: to release the innocent, to correct mistakes made in imposing the sentence, to relieve such suffering from ill-health as requires release from imprisonment, and to facilitate or reward the real reformation of the prisoner. The exercise of this power should be by the executive, and should be guarded by careful examination as to the character of the prisoner and his conduct in prison. Furthermore, it is the opinion of this congress that governors of state should give to their respective legislatures the reasons, in each case, for their exercise of the pardoning power.

XXVIII. The proper duration of imprisonment for a violation of the laws of society is one of the most perplexing questions in criminal jurisprudence. The present extraordinary inequality of sentences for the same or similar crimes is a source of constant irritation among prisoners, and the discipline of our prisons suffers in consequence. The evil is one for which some remedy should be devised.

XXIX. Prison statistics, gathered from a wide field and skillfully digested, are essential to an exhibition of the true character and working of our prison systems. The collection, collation and reduction to tabulated forms of such statistics can best be effected through a national prison discipline society, with competent working committees in every state, or by the establishment of a national prison bureau, similar to the recently instituted national bureau of education.

XXX. Prison architecture is a matter of grave importance. Prisons of every class should be substantial structures, affording gratification by their design and material to a pure taste, but not costly or highly ornate. We are of the opinion that those of moderate size are best, as regards both industrial and reformatory ends.

XXXI. The construction, organization, and management of all prisons should be by the state, and they should form a graduated series of reformatory establishments, being arranged with a view to the industrial employment, intellectual education and moral training of the inmates.

XXXII. As a general rule, the maintenance of penal institutions, above the county jail, should be from the earnings of their inmates, and without cost to the state; nevertheless, the true standard of merit in their management is the rapidity and thoroughness of reformatory effect accomplished thereby.

XXXIII. A right application of the principles of sanitary science in the construction and arrangements of prisons is a point of vital importance. The apparatus for heating and ventilation should be the best that is known; sunlight, air and water should be afforded according to the abundance with which nature has provided them; the rations and clothing should be plain but wholesome, comfortable, and in sufficient but not extravagant quantity; the bedsteads, bed and bedding, including sheets and pillow cases, not costly but decent, and kept clean, well aired and free from vermin; the hospital accommodations, medical stores and surgical instruments should be all that humanity requires and science can supply; and all needed means for personal cleanliness should be without stint.

XXXIV. The principle of the responsibility of parents for the full or partial support of their criminal children in reformatory institutions has been extensively applied in Europe, and its practical working has been attended with the best results. It is worthy of inquiry whether this principle may not be advantageously introduced into the management of our American reformatory institutions.

XXXV. It is our conviction that one of the most effective agencies in the repression of crime would be the enactment of laws by which the education of all the children of the state should be made obligatory. Better to force education upon the people than to force them into prison to suffer for crimes, of which the neglect of education and consequent ignorance have been the occasion, if not the cause.

XXXVI. As a principle that crowns all, and is essential to all, it is our conviction that no prison system can be perfect, or even successful to the most desirable degree, without some central authority to sit at the helm, guiding, controlling, unifying and vitalizing the whole. We ardently hope yet to see all the departments of our preventive, reformatory and penal institutions in each state moulded into one harmonious and effective system; its parts mutually answering to and supporting each other; and the whole animated by the same spirit, aiming at the same objects and subject to the same control; yet without loss of the advantages of voluntary aid and effort, wherever they are attainable.

XXXVII. This congress is of the opinion that, both in the official administration of such a system, and in the voluntary co-operation of citizens therein, the agency of women may be employed with excellent effect.

Appendix B

Course of Study at Sing Sing Prison School, 1907[1]

CLASS 1 - Elementary English
- Three hundred words to be mastered at sight, spelled, and written.
- The twelve elemental sounds learned.
- Copying sentences from blackboard.
- Reading from primer.
- Writing numbers up to 1,000.

CLASS 2 - Oral speech in English
- First reader.
- Spelling words read.
- Writing words and sentences.
- Phonic drill continued to all the elemental sounds.
- Period, interrogation and exclamation points explained.
- Combination of numbers.

CLASS 3 - Oral reproduction of matter read.
- Second reader.
- Globe work in geography.
- Phonic drill continued.
- Writing from dictation.

CLASS 4 - Geographical globe work continued
- Talks on "Ethics of Success."
- Punctuation, comma and semicolon.
- Letter writing.
- Elemental arithmetic.
- Continued reading and writing.

CLASS 5 - Third reader
- Talks on "How We Are Fed."
- Map work in geography.
- Continued talks on "Ethics of Success."
- More advanced arithmetic.

CLASS 6 - Fourth reader
- More advanced geography and arithmetic.
- Talks on "The Young American."
- Business forms, bills, notes, receipts, and checks.
- First steps in history.

[1] "College Men in Sing Sing Form a Faculty," *New York Times*, November 24, 1907, 40.

CLASS 7 - Biography
Talks on “Achievement.”
Geography.
English.

CLASS 8 - Biography
Continued talks on “Achievement.”
More advanced geography.
More advanced English.

CLASS 9 - History
Talks on “Patriotism.”
Ethics.
More advanced English.

CLASS 10 - History
Civics.
More advanced English.

CLASS 11 - History
Civics.
Science.
More advanced English.
Discussions on any subject suggested by pupils.

CLASS 12 - History
Civics.
Science.
Continued discussions.

Appendix C

Timeline

1818: Auburn Prison opens.

1822: Every prisoner confined to a solitary cell must be furnished with a Bible.[1]

1826: Sing Sing Prison opens.

1829: Every prisoner must be kept constantly employed in hard labor. First reference to vocation work as "education."[2]

1845: Clinton Prison opens.

1846: First reference to prison library in laws.

1847: Centralization of control of the state prisons of New York.

1847: In speaking of prison labor it was made the duty of the agent "to select, as far as practicable, such persons in appointing keepers to each prison, where manufacturing is carried on by the state, as are qualified to instruct the convicts in the trades and manufactures thus prosecuted in such prison."[3] "Two instructors shall be appointed by the board of inspectors for each of the prisons at Sing Sing and Auburn, and one for the Clinton State Prison; it shall be the duty of such instructors with, and under the supervision of, the chaplain to give instruction in the useful branches of an English education to such convicts as, in the judgement of the warden or the chaplain, may require the same and be benefited by it; such instruction shall be given for not less than one hour and a half daily, Sunday excepted, between the hours of six and nine in the evening."[4] To ensure this was carried out, the Chaplain was required to submit an annual report

[1] Laws of New York, 1822, Chapter CCLXXIII, Section III.
[2] Laws of New York, 1829, Revised Statutes, Park IV, Chapter III, Title 2, Section 58.
[3] Laws of New York, 1847, Chapter 460, Title II, Article I, Section 34, Subdivision 15.
[4] Ibid., Paragraph 61.

with number of inmates served, branches of education taught, textbooks used, and any unusually successful inmates.

1867: In 1867 two prominent reformers, Enoch C. Wines and Theodore Dwight, reported to the New York State legislature on the deplorable conditions of prisons. Based on their review they concluded there was no prison system in the country that was not seriously deficient. To remedy this sad state of affairs, Wines and Dwight recommended that reformation of the offender should be the primary aim of imprisonment. This approach mirrored the nation's developing posture toward the South.

1870: National Prison Congress of Cincinnati took place, during which the "Declaration of Principles" was written by E.C. Wines and approved and adopted by the Congress.

1874: The 1847 law was amended to the following: "Four instructors shall be employed by the inspectors for each of the prisons at Sing Sing and Auburn and two for Clinton State Prison. Instruction was also to be provided in "room or rooms as may be provided for that purpose."[5]

1877: Fixed the pay of prison teachers at $300 a year for male teachers and $200 a year for female teachers, "which salaries shall be in full for all services performed at the prison by them."[6]

1889: Recognition of vocation training as well as academic instruction, since the law stated "It shall be the duty of the agent and warden of each of such prisons, so far as practicable and necessary, to appoint as keepers of such prisons, persons qualified to instruct the prisoners in the trades and manufactures prosecuted in such prison or in other industrial occupations."[7]

[5] Laws of New York, 1874, Chapter 451, Section 2.
[6] Laws of New York, 1877, Chapter 312, Section 1.
[7] Laws of New York, 1889, Chapter 382, Section 84.

1894: McDonough Amendment, effectively banning the contract labor system in New York State prisons.

1899: Dannemora State Hospital was built on prison grounds of Clinton Prison.

1905: First school building erected on the grounds of Sing Sing Prison; formal school programs begins at Sing Sing, Clinton, and Auburn prisons.

1912: Thomas Mott Osborne goes "undercover" as Tom Brown at Auburn Prison.

1913: A. C. Hill publishes "Prison Schools" summary and survey in the Bulletin of the U.S. Bureau of Education.

1914-1916: Thomas Mott Osborne serves as warden of Sing Sing, founds the Mutual Welfare League at Sing Sing.

1925: Prison teachers required to have teacher certification.[8]

1935: By 1935 the law was more elaborate and included language about individual needs, socialization, conduct as a good citizen, with skills and knowledge that will give them a reasonable change to maintained themselves and their dependents through honest labor.

[8] Laws of New York, 1925, Chapter 455, Section 150.